

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

USA

Plaintiff(s),

Case No. 89-CR-83-01-E

vs.

Date 9/4/90

Loran Eugene Hall, Sr.

PROCEEDING Hearing

Defendant(s).

JUDGE COOK

Deputy R. Miller

Reporter Simpson

JUDGE ELLISON

Deputy McCullough

Reporter Dorrough

JUDGE BRETT

Deputy Overton

Reporter Caslavka

JUDGE

Deputy

Reporter

COUNSEL FOR: Plaintiff J. Morgan

Defendant P. Brunton

MINUTES: Deft will not be back from Rochester  
by trial date of 9-17-90. Deft co indicates they may  
want a spairied by private local dr.

PT & Const Hag

Stricken from 9-5-90 - to be used upon appl/9/15

IT Cont'd to 10-15-90 9:30

Time from date A is released from Rochester &  
10-15-90 is includable. 3161(h)

LIST WITNESSES ON BACK:

# United States District Court

FILED

DISTRICT OF KANSAS

APR 10 1990

UNITED STATES OF AMERICA  
V.

APR 17 1990

RALPH L. DeLOACH, CLERK  
By B. Stinson Deputy

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

APPEARANCE BOND

LORAN EUGENE HALL, SR.  
Defendant

CASE NUMBER: 89-4-83-01-E ✓  
90-1041M-01

~~Non-surety:~~ I, the undersigned defendant acknowledge that I and my ...

Surety: We, the undersigned, jointly and severally acknowledge that we and our ...

personal representatives, jointly and severally, are bound to pay to the United States of America the sum of \$ 25,000.00, and there has been deposited in the Registry of the Court the sum of \$ \_\_\_\_\_ in cash or \_\_\_\_\_ (describe other security.)

The conditions of this bond are that the defendant Loran Eugene Hall, Sr.  
(name)

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on April 9, 1990 at Wichita, Kansas

Defendant. Loran E. Hall Address. 1619 E. 10th St  
Place

Surety. Jack C. Silver Address. Newton, Kansas 672

Surety. John D. Wooley Address. 131 W. 1st St  
Newton, Kansas 67214

Signed and acknowledged before me on April 9, 1990

Defendant's Telephone Number 316/283-1028

John D. Wooley  
Judicial Officer/Clerk

Approved: John D. Wooley  
Judicial Officer

## United States District Court

FILED

DISTRICT OF KANSAS

APR 10 1990

UNITED STATES OF AMERICA

RALPH L. DeLOACH, CLERK  
By B. Stinson Deputy

V.

ORDER SETTING CONDITIONS  
OF RELEASELORAN EUGENE HALL, SR.

Case Number: 90-1041M-01

Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing of any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear at (if blank, to be notified) U. S. Courthouse  
Tulsa, Oklahoma 3:00 Place P.M.  
Wichita, Kansas on April 17, 1990 at 9:30 a.m. / 1:30 p.m.  
Date and Time

## Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- ( ☒ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- ( ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

## Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and State) \_\_\_\_\_

(Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

☒ (7) The defendant shall:

( ) (a) maintain or actively seek employment.

( ) (b) maintain or commence an educational program.

☒ (c) abide by the following restrictions on his personal associations, place of abode, or travel:

That defendant not leave Kansas during the time this case is pending without first obtaining permission of the court.

☒ (d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:

or co-defendants in this case, or with Steven Embury, an alleged unindicted Co-conspirator in this case.

☒ (e) report on a regular basis to the following agency: Patrol comes officer by telephone on a daily basis as directed by the Patrol Services officer.

☒ (f) comply with the following curfew: 9:00 PM. until 6:00 AM each morning.

☒ (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.

☒ (h) refrain from ~~use~~ use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.

( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: \_\_\_\_\_

( ) (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: \_\_\_\_\_

( ) (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: \_\_\_\_\_

☒ (l) execute a bail bond with solvent sureties in the amount of \$ 25,000.00 w/ Parents & Brother as

( ) (m) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

( ) (n) surrender any passport to \_\_\_\_\_

( ) (o) obtain no passport.

☒ (p) Def to surrender his passport + not to apply for a passport or visa while this case is pending. Def not to receive the Continental limits of U.S. while this case is pending.



### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

*Aaron E. Hall*  
Signature of Defendant  
1619 E. 10<sup>th</sup> St  
Address  
Newton, Kansas 67114  
City and State Telephone  
Tel: 316/283-1028

### Directions to United States Marshal

- ☒ The defendant is ORDERED released after processing.
- ☐ The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: April 9, 1990

*John B. Wooley*  
Signature of Judicial Officer

JOHN B. WOOLEY, U. S. Magistrate

Name and Title of Judicial Officer

United States District Court **FILED**

NORTHERN

DISTRICT OF

OKLAHOMA

NOV 27 1989 *B*UNITED STATES OF AMERICA  
V.Rick C. Silver, Clerk  
U.S. DISTRICT COURT

## APPEARANCE BOND

DAVID ROYSE LADD

Defendant

CASE NUMBER: 89-CR-83-05-E ✓

Non-surety: I, the undersigned defendant acknowledge that I and my ...

Surety: We, the undersigned, jointly and severally acknowledge that we and our ...

personal representatives, jointly and severally, are bound to pay to the United States of America the sum of  
\$ 10,000. and there has been deposited in the Registry of the Court the sum of  
\$ -0- in cash or \_\_\_\_\_ (describe other security.)The conditions of this bond are that the defendant David Royse Ladd

(name)

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on 11-27-89 at Tulsa, Oklahoma (216) 452-0425  
Defendant. David R. Ladd Date Address. 2100 Harrisburg Rd, Canton, Ohio 44721  
Surety. \_\_\_\_\_ Address. \_\_\_\_\_  
Surety. \_\_\_\_\_ Address. \_\_\_\_\_Signed and acknowledged before me on Nov. 27, 1989  
DateApproved: Jeff [Signature]

Judicial Officer

Joan Mayer  
Judicial Officer/Clerk

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA

V.

## ORDER SETTING CONDITIONS OF RELEASE

DAVID ROYSE LADD

Case Number: 89-CR-83-05-E

Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing of any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear at (if blank, to be notified) \_\_\_\_\_  
Place

on \_\_\_\_\_

Date and Time

### Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- ( ☒ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- ( X ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of Ten thousand and no/100 ----- dollars (\$ 10,000. )  
in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

**Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and State) \_\_\_\_\_

(Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

( X ) (7) The defendant shall:

( ) (a) maintain or actively seek employment.

( ) (b) maintain or commence an educational program.

X (c) abide by the following restrictions on his personal associations, place of abode, or travel:

Travel is restricted to the Northern District of Oklahoma and the Northern District of Ohio

( ) (d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:

X (e) report on a regular basis to the following agency:

As directed by the U.S. Probation Office

( ) (f) comply with the following curfew: \_\_\_\_\_

( ) (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.

X (h) refrain from excessive use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.

( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: \_\_\_\_\_

( ) (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: \_\_\_\_\_

( ) (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: \_\_\_\_\_

( ) (l) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_

( ) (m) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

( ) (n) surrender any passport to \_\_\_\_\_

( ) (o) obtain no passport.

X (p) Participate in successful drug screening

X Consult w/attly before leaving town

### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

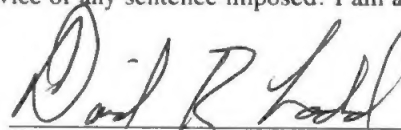
It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.



Signature of Defendant

2100 Harrisburg Rd/

Address

Canton, Ohio 44721 (216) 452-0475

City and State

Telephone

### Directions to United States Marshal

- (☒) The defendant is ORDERED released after processing.
- ( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: November 27, 1989



Signature of Judicial Officer

Jeffrey S. Wolfe, U.S. Magistrate

Name and Title of Judicial Officer



# United States District Court

FILED

NOV 24 1989 *dt*

NORTHERN District of OKLAHOMA

Mark C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

## JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

Michael Steven Hall

Case Number 89-CR-083-006-E ✓

(Name of Defendant)

David Booth  
Defendant's Attorney

### THE DEFENDANT:

- ☒ pleaded guilty to count(s) Count One of a Single Count Indictment.
- ☐ was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Count Number(s)
21 USC 846 & 841(a)(1)	Conspiracy to Manufacture, Possession With Intent to Distribute Methamphetamine	Count One

The defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) \_\_\_\_\_, and is discharged as to such count(s).
- ☐ Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.
- ☐ The mandatory special assessment is included in the portion of this Judgment that imposes a fine.
- ☒ It is ordered that the defendant shall pay to the United States a special assessment of \$50, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:

509-58-7954

Defendant's mailing address:

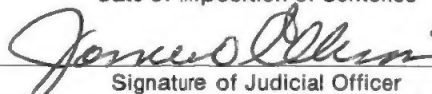
1619 East 10th StreetNewton, Kansas 67114

Defendant's residence address:

Same as above

November 21, 1989

Date of Imposition of Sentence



Signature of Judicial Officer

The Honorable James O. Ellison  
United States District Judge

Name &amp; Title of Judicial Officer

Date

Defendant: **Michael Steven Hall**  
 Case Number: **89-CR-083-006-E**

Judgment—Page 2 of 4

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of One year and one day.

☐ The Court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district,

☐ at \_\_\_\_\_ a.m.  
 \_\_\_\_\_ p.m. on \_\_\_\_\_.

☐ as notified by the Marshal.

☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons

☒ before ~~2 p.m.~~ 12 noon on January 2, 1990.

☐ as notified by the United States Marshal.

☐ as notified by the Probation Office.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
 United States Marshal

By \_\_\_\_\_  
 Deputy Marshal

Defendant: **Michael Steven Hall**  
Case Number: **89-CR-083-006-E**

**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_

Five (5) years

While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

N/A

Defendant: **Michael Steven Hall**  
Case Number: **89-CR-083-006-E**

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall not possess a firearm or any other dangerous weapon.  
These conditions are in addition to any other conditions imposed by this Judgment.
- 16) The defendant shall submit to urinalysis as directed by the probation office.

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

FILED

UNITED STATES OF AMERICA  
V.

OCT 24 1989

BARBARA A. MARTENEY

Defendant

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

APPEARANCE BOND

CASE NUMBER: 89-CR-83-04-E

Non-surety: I, the undersigned defendant acknowledge that I and my...

Surety: We, the undersigned, jointly and severally acknowledge that we and our...

personal representatives, jointly and severally, are bound to pay to the United States of America the sum of  
\$ 20,000, and there has been deposited in the Registry of the Court the sum of  
\$ -0- ~~XXXXXX~~ UNSECURED (describe other security.)

The conditions of this bond are that the defendant BARBARA A. MARTENEY  
(name)

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on 10-24-89 at TULSA, OK

Defendant. Barbara A. Marteney Address. 213 E. First, Apt. B Hutchinson,  
67501-05 699-9403

Surety. \_\_\_\_\_ Address. \_\_\_\_\_

Surety. \_\_\_\_\_ Address. \_\_\_\_\_

Signed and acknowledged before me on 10-24-89  
Date

[Signature]  
Judicial Officer/Clerk

Approved

[Signature]  
Judicial Officer



# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA

V.

## ORDER SETTING CONDITIONS OF RELEASE

BARBARA ANN MARTENEY

Defendant

Case Number: 89-CR-83-04-E

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing of any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear at (if blank, to be notified) \_\_\_\_\_

Place

on \_\_\_\_\_

Date and Time

### Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- ( ☒ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- ( ☒ ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of TWENTY THOUSAND DOLLARS AND NO/100----- dollars (\$ 20,000.00 ) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

**Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and State) \_\_\_\_\_

(Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

( XX ) (7) The defendant shall:

( ) (a) maintain or actively seek employment.

( ) (b) maintain or commence an educational program.

~~(XX)~~ (c) abide by the following restrictions on his personal associations, place of abode, or travel:

~~Travel is restricted to the Northern District of Oklahoma unless permission to travel outside the Northern District is granted from the U.S. Probation Office; to include District of Kansas~~

( ) (d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:

~~(XX)~~ (e) report on a regular basis to the following agency:

~~Report to the U.S. Probation Office as directed~~

( ) (f) comply with the following curfew: \_\_\_\_\_

( ) (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.

( ) (h) refrain from excessive use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.

( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: \_\_\_\_\_

( ) (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: \_\_\_\_\_

( ) (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: \_\_\_\_\_

( ) (l) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_

( ) (m) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

( ) (n) surrender any passport to \_\_\_\_\_

( ) (o) obtain no passport.

~~(XX)~~ (p) ~~successfully participate in drug monitoring as directed by the U. S. Probation Office~~

### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

  
Signature of Defendant

213 E. First, Apt. B

Address

Hutchinson, KS 67501-05 699-9403

City and State

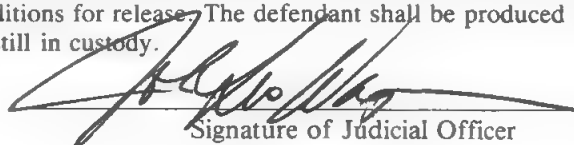
Telephone

### Directions to United States Marshal

**XX** The defendant is ORDERED released after processing.

- ( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 10-24-89

  
Signature of Judicial Officer

JOHN LEO WAGNER, U.S. MAGISTRATE

Name and Title of Judicial Officer

## United States District Court

FILED

OCT 1 1989

DISTRICT OF KANSAS

UNITED STATES OF AMERICA  
V.

OCT 19 1989

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

RALPH L. DELOACH, CLERK

BARBARA ANN MARTENEY

Defendant

APPEARANCE BOND

89-GR-83-04-E

CASE NUMBER: 89-1081M-03

Non-surety. I, the undersigned defendant acknowledge that I and my...

Surety: We, the undersigned, jointly and severally acknowledge that we and our...

personal representatives, jointly and severally, are bound to pay to the United States of America the sum of  
\$ 29,000.00, and there has been deposited in the Registry of the Court the sum of  
\$ \_\_\_\_\_ in cash or \_\_\_\_\_ (describe other security.)The conditions of this bond are that the defendant Barbara Ann Marteney

(name)

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on Oct. 10, 1989 at Wichita, Kansas

Date

Defendant.

Address.

Surety.

Address.

Surety.

Address.

Signed and acknowledged before me on Oct. 10, 1989

Date

Defendant's phone number 316/169-9403

Judicial Officer/Clerk

Approved.

Judicial Officer

United States District Court **FILED**

DISTRICT OF KANSAS

OCT 1 1989

*Carol Ray*

UNITED STATES OF AMERICA

V.

**ORDER SETTING CONDITIONS  
OF RELEASE**

Case Number: 89-1081M-03

~~BARBARA ANN MARTENEY~~  
Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing of any change in address and telephone number, place of employment (and telephone number)
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence

imposed as directed. The defendant shall next appear at (if blank, to be notified) 326 U. S. Courthouse  
PlaceWichita, Kansas on October 11, 1989 at 1:30 p.m.  
Date and Time**Release on Personal Recognizance or Unsecured Bond**

IT IS FURTHER ORDERED that the defendant be released provided that:

- (✓) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- (X) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of Twenty thousand dollars (\$20,000.00) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.



**Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and State) \_\_\_\_\_

(Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

X (7) The defendant shall:

( ) (a) maintain or actively seek employment.

( ) (b) maintain or commence an educational program.

X (c) abide by the following restrictions on his personal associations, place of abode, or travel:

That defendant not leave Kansas during the time this  
case is pending without first obtaining permission  
of the court.

X (d) avoid all contact with ~~the following named persons, who are considered either~~ alleged victims or potential witnesses:  
XX

( ) (e) report on a regular basis to the following agency: \_\_\_\_\_

( ) (f) comply with the following curfew: \_\_\_\_\_

( ) (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.

X (h) refrain from ~~use~~ use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.

( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: \_\_\_\_\_

X (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: Twenty thousand dollar Bond, to be signed by

Brother, Aaron Eugene Hall, Jr. + grandfather, Jack Hall.

( ) (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: \_\_\_\_\_

( ) (l) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_

( ) (m) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

( ) (n) surrender any passport to \_\_\_\_\_

( ) (o) obtain no passport.

( ) (p) \_\_\_\_\_

### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Bodiana M. Martinez  
Signature of Defendant  
213 E. 1st, Apt #10  
Address  
Hutchinson, Kansas 67501  
City and State  
Tele : 316/669-9403 Telephone

### Directions to United States Marshal

- ☒ The defendant is ORDERED released after processing.
- ( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 10/10/89

John B. Wooley  
Signature of Judicial Officer

JOHN B. WOOLEY, U. S. Magistrate  
Name and Title of Judicial Officer

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA  
V.

## APPEARANCE BOND

LOREN E. HALL

Defendant

CASE NUMBER: 89-CR-83-01-E

Non-surety: I, the undersigned defendant acknowledge that I and my ...

Surety: We, the undersigned, jointly and severally acknowledge that we and our ...

personal representatives, jointly and severally, are bound to pay to the United States of America the sum of  
\$ ~~50,000~~ \$20,000 unsecured, and there has been deposited in the Registry of the Court the sum of  
\$ 5,000 in cash or surety (describe other security.)

The conditions of this bond are that the defendant LOREN E. HALL

(name)

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on 7-20-89 8-28-89 at

TULSA, OK

Defendant

Loren E Hall JR

Date

Address. 1050 N. Georgie St. Derby, KS  
67037 NO PHONEAddress. 211 Overlook Dr Derby KS.Address. 1710 7 Tulsa 74119Surety. INDIANA LUMBERMENS MUT. INS. CO.Surety. Karen Smith Wilson

ATTORNEY IN FACT

Signed and acknowledged before me on

7-20-89 8-28-89

Date

Johanna Miller

Judicial Officer / Clerk

Approved: [Signature]

Judicial Officer

## United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

AMENDED  
APPEARANCE BOND

MICHAEL STEVEN HALL

Defendant

CASE NUMBER: 89-CR-83-06-E

Non-surety: I, the undersigned defendant acknowledge that I and my ...

Surety: We, the undersigned, jointly and severally acknowledge that we and our ...

personal representatives, jointly and severally, are bound to pay to the United States of America the sum of  
 \$ 25,000, and there has been deposited in the Registry of the Court the sum of  
 \$ - 0 - in cash or unsecured (describe other security.)

The conditions of this bond are that the defendant MICHAEL STEVEN HALL

(name)

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on 8-17-89 at TULSA, OK

Defendant. Michael Hall Address. 327 E. 1st St., Hutchinson, KS  
67501 316-669-9403

Surety. \_\_\_\_\_ Address. \_\_\_\_\_

Surety. \_\_\_\_\_ Address. \_\_\_\_\_

Signed and acknowledged before me on 8-17-89

Date

[Signature]  
 Judicial Officer Clerk

Approved: [Signature]

Judicial Officer

POWER AMOUNT  
\$15,000

POWER OF ATTORNEY

Indian Lumbermens Mutual Insurance Company BB15 125351

3600 Woodview Trace, P.O. Box 68932, Indianapolis, IN 46268

KNOW ALL MEN BY THESE PRESENTS: that INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY, a corporation duly organized and existing under the laws of the State of Indiana, has made, pursuant to By-Laws duly adopted by the Directors of said company, and now in full force and effect, does constitute and appoint, and by these presents does make, constitute and appoint the below named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only.

Authority of such Attorney-in-Fact is limited to appearance bonds, especially no authority is provided herein for the execution of surety immigration bonds, and cannot be construed to guarantee for failure to provide payments, back alimony payments, fines or wage law claims, on behalf of below named defendant

This power void if altered or erased, void if used with other powers of this company or other powers of other companies to furnish bail in excess of the stated face amount of this power, and can only be used once. The obligation of the company shall not exceed the sum of

FIFTEEN THOUSAND (\$15,000 00) DOLLARS

and provided this Power-Of-Attorney is filed with the bond and retained as a part of the court records. The said Attorney-In-Fact is hereby authorized to insert in this Power-Of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 28 day of Aug, 19 89.

Bond Amount \$ 5,000.00 Appearance Date

Defendant: Loren E. Hall 89-CR-83-03E

Case # 89-CR-83-03E

Court Fed City Tulsa St. OK

Offense Consp. to Mat. 1st Dth.

Executing Agent Karen M. O'Brien



INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY

P. L. Harrison

President

USI-9D



# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA

V.

## AMENDED ORDER SETTING CONDITIONS OF RELEASE

MICHAEL STEVEN HALL

Defendant

Case Number: 89-CR-83-06-E

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall advise the court and the U.S. attorney in writing prior to any change in address.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear at (if blank, to be notified) \_\_\_\_\_

Place

on \_\_\_\_\_

Date and Time

### Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- ( ☒ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- ( ☒ ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of Twenty five thousand dollars & No/100 dollars (\$ 25,000 ) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

**Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and State) \_\_\_\_\_ (Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

(XX) (7) The defendant shall:

( ) (a) maintain or actively seek employment.

( ) (b) maintain or commence an educational program.

XX (c) abide by the following restrictions on his personal associations, place of abode, or travel:

Defendant to reside with mother at: 327 E. 1st Hutchinson, KS 67501

Travel is restricted to the Northern & Western Districts of Okla., & the Dist of Kansas unless permission to travel elsewhere is granted

( ) (d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:

XX (e) report on a regular basis to the following agency:

Report to the U.S. Probation Office as directed

( ) (f) comply with the following curfew: \_\_\_\_\_

( ) (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.

XX (h) refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.

( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: \_\_\_\_\_

( ) (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: \_\_\_\_\_

( ) (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: \_\_\_\_\_

( ) (l) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_

( ) (m) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

( ) (n) surrender any passport to \_\_\_\_\_

( ) (o) obtain no passport.

XX (p) successfully participate in drug monitoring as directed by the U.S. Probation Office

### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Michael Hall

Signature of Defendant

327 E. 1st St.

Address

Hutchinson, KS 67501

City and State

316-669-9403

Telephone

### Directions to United States Marshal

☒ The defendant is ORDERED released after processing.

☐ The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 8-17-89

[Signature]

Judicial Officer

CLERK  
TATES DISTRICT COURT  
M 204, 401 N. MARKET ST.  
A, KANSAS 67202-2096  
OFFICIAL BUSINESS  
NALTY FOR PRIVATE USE \$300

RECEIVED  
NOV 23 1990  
JACK C. SILVER, CLERK  
U.S. DISTRICT COURT


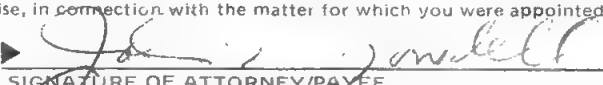
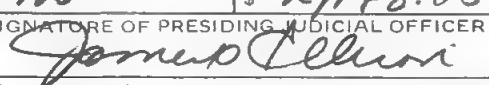
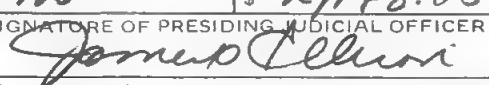
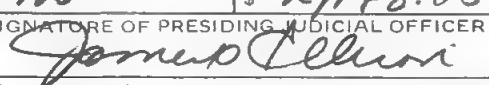
Clerk's Office  
U. S. District Court  
411 U. S. Courthouse  
333 West 4th Street  
Tulsa, OK 74103



POSTAGE AND FEES PAID  
UNITED STATES COURTS  
USC 428



CJA-20 (Int., 1/88) **APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL**

1. JURISDICTION 1 <input checked="" type="checkbox"/> MAG. 2 <input type="checkbox"/> DIST. 4 <input type="checkbox"/> OTHER		3 <input type="checkbox"/> APPEALS 5 <input type="checkbox"/> OTHER		2. MAG. DOCKET NO.		3. DIST. CT. SET NO. 89-CR-63-E		VOUCHER NO. 0154895																																																																																																												
4. APPEALS DOCKET NO.		5. FOR (DISTRICT/CIRCUIT) ND OKLAHOMA		6. LOC. CODE OKNTU		7. CHARGE/OFFENSE (U.S. or other code citation) 21:846		7A. CASE CODE 68																																																																																																												
8. IN THE CASE OF USA vs David Ladd						9. PERSON REPRESENTED (FULL NAME) David Ladd		9A. NO. REPRESENTED 1																																																																																																												
10. PERSON REPRESENTED (STATUS) 1 <input type="checkbox"/> DEFENDANT-ADULT 3 <input type="checkbox"/> APPELLANT 5 <input type="checkbox"/> OTHER 2 <input type="checkbox"/> DEFENDANT-JUVENILE 4 <input type="checkbox"/> APPELLEE						11. PROCEEDINGS (Describe briefly)  All Proceedings																																																																																																														
12. PAYMENT CATEGORY A <input checked="" type="checkbox"/> FELONY C <input type="checkbox"/> PETTY OFFENSE E <input type="checkbox"/> OTHER B <input type="checkbox"/> MISDEMEANOR D <input type="checkbox"/> APPEAL																																																																																																																				
13. COURT ORDER O <input type="checkbox"/> Appointing Counsel F <input checked="" type="checkbox"/> Subs. for FD P <input type="checkbox"/> Subs. for Panel Atty. C <input type="checkbox"/> Co-Counsel R <input type="checkbox"/> Subs. for Retained Atty. Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in item 14 is appointed to represent this person in this case.  Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy) November 28, 1989 Date of Order Nunc Pro Tunc Date										14. NAME OF ATTORNEY/PAYEE AND MAILING ADDRESS John E. Dowdell 2900 Mid-Continent Tower Tulsa, Oklahoma 74104																																																																																																										
						15. TELEPHONE NO. 918/583-7571		16. SOC. SEC. NO. 442-60-3716																																																																																																												
<b>CLAIM FOR SERVICES OR EXPENSES</b>																																																																																																																				
<table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th colspan="2">SERVICE</th><th>HOURS</th><th>DATES</th><th></th></tr></thead><tbody><tr><td rowspan="8" style="writing-mode: vertical-rl; transform: rotate(180deg);">IN COURT</td><td>a. Arraignment and/or Plea</td><td>1.0</td><td>3/2/90</td><td rowspan="8">Multiply rate per hour times total hours to obtain "In Court" compensation.  Enter total below.</td></tr><tr><td>b. Bail and Detention Hearings</td><td></td><td></td></tr><tr><td>c. Motions Hearings</td><td></td><td></td></tr><tr><td>d. Trial</td><td></td><td></td></tr><tr><td>e. Sentence Hearings</td><td>1.0</td><td>5/15/90</td></tr><tr><td>f. Revocation Hearings</td><td></td><td></td></tr><tr><td>g. Appeals Court</td><td></td><td></td></tr><tr><td>h. Other (Specify on additional sheets)</td><td></td><td></td></tr><tr><td colspan="2">(Rate per hour = \$60.00) TOTAL HOURS =</td><td>2.0</td><td></td><td>17A. TOTAL IN COURT COMP. \$ 120.00</td></tr><tr><td rowspan="5" style="writing-mode: vertical-rl; transform: rotate(180deg);">OUT OF COURT</td><td>a. Interviews and conferences</td><td>24.8</td><td>11/28/89 - 5/15/90</td><td rowspan="5">Multiply rate per hour times total hours. Enter total "out of court" compensation below.</td></tr><tr><td>b. Obtaining and reviewing records</td><td>5.7</td><td>" "</td></tr><tr><td>c. Legal research and brief writing</td><td>11.3</td><td>" "</td></tr><tr><td>d. Travel time (Specify on additional sheets)</td><td></td><td></td></tr><tr><td>e. Investigative and other work (Specify on additional sheets)</td><td>11.9</td><td>" "</td></tr><tr><td colspan="2">(Rate per hour = \$40.00) TOTAL HOURS =</td><td>53.7</td><td>" "</td><td>18A. TOTAL OUT OF COURT COMPENSATION \$ 2,148.00</td></tr><tr><td rowspan="8" style="writing-mode: vertical-rl; transform: rotate(180deg);">EXPENSES</td><td colspan="2">19. TRAVEL, LODGING, MEALS ETC.</td><td>AMOUNT</td><td>OTHER EXPENSES</td><td>AMOUNT</td><td rowspan="2">19A. TOTAL TRAVEL EXP. \$ ---</td></tr><tr><td colspan="2"></td><td></td><td>Photocopies</td><td>\$ 59.10</td></tr><tr><td colspan="2"></td><td></td><td>Toll Calls</td><td>9.34</td><td rowspan="6">19B. TOTAL OTHER EXP. \$ 68.44</td></tr><tr><td colspan="2"></td><td></td><td></td><td></td></tr><tr><td colspan="2"></td><td></td><td></td><td></td></tr><tr><td colspan="2"></td><td></td><td></td><td></td></tr><tr><td colspan="2"></td><td></td><td></td><td></td></tr><tr><td colspan="2"></td><td></td><td></td><td></td></tr><tr><td colspan="2"></td><td></td><td></td><td></td><td>20. GRAND TOTAL CLAIMED \$ 2,336.44</td></tr></tbody></table>										SERVICE		HOURS	DATES		IN COURT	a. Arraignment and/or Plea	1.0	3/2/90	Multiply rate per hour times total hours to obtain "In Court" compensation.  Enter total below.	b. Bail and Detention Hearings			c. Motions Hearings			d. Trial			e. Sentence Hearings	1.0	5/15/90	f. Revocation Hearings			g. Appeals Court			h. Other (Specify on additional sheets)			(Rate per hour = \$60.00) TOTAL HOURS =		2.0		17A. TOTAL IN COURT COMP. \$ 120.00	OUT OF COURT	a. Interviews and conferences	24.8	11/28/89 - 5/15/90	Multiply rate per hour times total hours. Enter total "out of court" compensation below.	b. Obtaining and reviewing records	5.7	" "	c. Legal research and brief writing	11.3	" "	d. Travel time (Specify on additional sheets)			e. Investigative and other work (Specify on additional sheets)	11.9	" "	(Rate per hour = \$40.00) TOTAL HOURS =		53.7	" "	18A. TOTAL OUT OF COURT COMPENSATION \$ 2,148.00	EXPENSES	19. TRAVEL, LODGING, MEALS ETC.		AMOUNT	OTHER EXPENSES	AMOUNT	19A. TOTAL TRAVEL EXP. \$ ---				Photocopies	\$ 59.10				Toll Calls	9.34	19B. TOTAL OTHER EXP. \$ 68.44																															20. GRAND TOTAL CLAIMED \$ 2,336.44
SERVICE		HOURS	DATES																																																																																																																	
IN COURT	a. Arraignment and/or Plea	1.0	3/2/90	Multiply rate per hour times total hours to obtain "In Court" compensation.  Enter total below.																																																																																																																
	b. Bail and Detention Hearings																																																																																																																			
	c. Motions Hearings																																																																																																																			
	d. Trial																																																																																																																			
	e. Sentence Hearings	1.0	5/15/90																																																																																																																	
	f. Revocation Hearings																																																																																																																			
	g. Appeals Court																																																																																																																			
	h. Other (Specify on additional sheets)																																																																																																																			
(Rate per hour = \$60.00) TOTAL HOURS =		2.0		17A. TOTAL IN COURT COMP. \$ 120.00																																																																																																																
OUT OF COURT	a. Interviews and conferences	24.8	11/28/89 - 5/15/90	Multiply rate per hour times total hours. Enter total "out of court" compensation below.																																																																																																																
	b. Obtaining and reviewing records	5.7	" "																																																																																																																	
	c. Legal research and brief writing	11.3	" "																																																																																																																	
	d. Travel time (Specify on additional sheets)																																																																																																																			
	e. Investigative and other work (Specify on additional sheets)	11.9	" "																																																																																																																	
(Rate per hour = \$40.00) TOTAL HOURS =		53.7	" "	18A. TOTAL OUT OF COURT COMPENSATION \$ 2,148.00																																																																																																																
EXPENSES	19. TRAVEL, LODGING, MEALS ETC.		AMOUNT	OTHER EXPENSES	AMOUNT	19A. TOTAL TRAVEL EXP. \$ ---																																																																																																														
				Photocopies	\$ 59.10																																																																																																															
				Toll Calls	9.34	19B. TOTAL OTHER EXP. \$ 68.44																																																																																																														
					20. GRAND TOTAL CLAIMED \$ 2,336.44																																																																																																															
21. CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD 11/28/89 TO 5/15/90 F <input checked="" type="checkbox"/> Final Payment I <input type="checkbox"/> Interim Payment No. _____ Has compensation and/or reimbursement for work in this case previously been applied for? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, by whom were you paid? _____ How much? _____ Has the person represented paid any money to you, or to your knowledge to anyone else, in connection with the matter for which you were appointed to provide representation? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements  SIGNATURE OF ATTORNEY/PAYEE 5/31/90 DATE																																																																																																																				
<table border="1" style="width:100%; border-collapse: collapse;"><tr><td rowspan="3" style="writing-mode: vertical-rl; transform: rotate(180deg);">APPROVED FOR PAYMENT</td><td>22. IN COURT COMP. \$ 120</td><td>23. OUT OF COURT COMP. \$ 2,148.00</td><td>24. TRAVEL EXPENSE \$</td><td>25. OTHER EXPENSES \$ 68.44</td><td>26. TOTAL AMT. APPROVED/CERT. \$ 2,336.44</td></tr><tr><td colspan="3">27. SIGNATURE OF PRESIDING JUDICIAL OFFICER </td><td>DATE 6/11/90</td><td>27A. JUDGE/CLERK CODE 851</td></tr><tr><td colspan="3">28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR DELEGATE)</td><td>DATE</td><td>29. TOTAL AMT. APPROVED \$</td></tr></table>										APPROVED FOR PAYMENT	22. IN COURT COMP. \$ 120	23. OUT OF COURT COMP. \$ 2,148.00	24. TRAVEL EXPENSE \$	25. OTHER EXPENSES \$ 68.44	26. TOTAL AMT. APPROVED/CERT. \$ 2,336.44	27. SIGNATURE OF PRESIDING JUDICIAL OFFICER 			DATE 6/11/90	27A. JUDGE/CLERK CODE 851	28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR DELEGATE)			DATE	29. TOTAL AMT. APPROVED \$																																																																																											
APPROVED FOR PAYMENT	22. IN COURT COMP. \$ 120	23. OUT OF COURT COMP. \$ 2,148.00	24. TRAVEL EXPENSE \$	25. OTHER EXPENSES \$ 68.44	26. TOTAL AMT. APPROVED/CERT. \$ 2,336.44																																																																																																															
	27. SIGNATURE OF PRESIDING JUDICIAL OFFICER 			DATE 6/11/90	27A. JUDGE/CLERK CODE 851																																																																																																															
	28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR DELEGATE)			DATE	29. TOTAL AMT. APPROVED \$																																																																																																															

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

APR 18 1991 *dt*

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.

Criminal No. 89-CR-83-001-E ✓

OBA #1256  
OBA # 13102

OBJECTION TO PRESENTENCE  
REPORT AND MEMORANDUM BRIEF

Pursuant Local Rule 33.1, Defendant Loran Eugene Hall, Sr. makes his specific objection to the presentence report.

Paragraph 5, page 4, states, inter alia, That case reports indicate "precursor chemical purchases and laboratory analysis of chemicals seized reflect a conservative total of 28 pounds of methamphetamine could have been produced during the course of the total conspiracy with the street value of \$280,000."

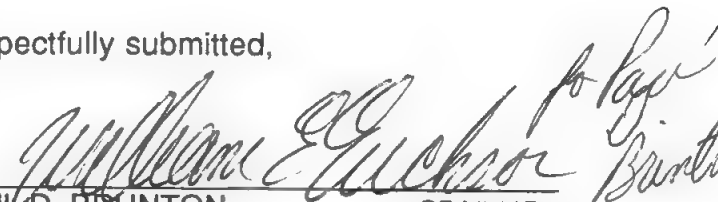
Based on the preceding, defendant, Loran Eugene Hall, Sr.'s, total offense level has been calculated as 32, and the guideline imprisonment range is 121 to 151 months. See paragraphs 5,8 through 16, and 23, of the defendant's Presentence Investigation Report..

The determination of 28 pounds is based upon conjecture, speculation, and estimation. Loran Eugene Hall, Sr. openly acknowledges that only 7 usable ounces of methamphetamine were ever produced, and the defendant would testify to such..

Wherefore, defendant Loran Eugene Hall, Sr. does not request an evidentiary hearing for purposes of determining the exact amount of methamphetamine for which he should be liable but merely wants the usable amounts

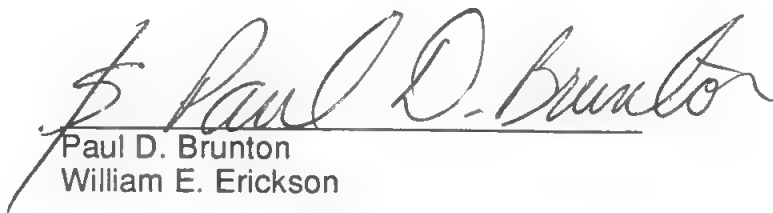
noted in the record, and for the courts consideration for a down for a downward departure from the guidelines.

Respectfully submitted,

  
PAUL D. BRUNTON OBA# 1256  
WILLIAM E. ERICKSON OBA#13102  
Attorney for Defendant  
LORAN E. HALL SR.  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119  
(918) 582-1993

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of April, 1991, I caused a true and correct copy of this Objection to Presentence Report to be hand delivered to the office of Jack Morgan, Assistant United States Attorney, counsel for Plaintiff, and to Mr. Mark Ogle, United States Probation officer.

  
Paul D. Brunton  
William E. Erickson



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

FILED

APR 5 1991

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Loran Eugene Hall, Sr.

Defendant,

CRIMINAL CASE NO: 89-CR-083-001-E

N O T I C E

Pursuant to the Order signed by the Judges of this Court, filed in Miscellaneous Number M-128, and dated October 18, 1990, you are directed to:

Appear at the U. S. Probation Office, Room 3270, 333 W. 4th Street, U. S. Courthouse, Tulsa, Oklahoma, at 9:30 am/~~PM~~, Thursday, April 18, 1991, to review the attached Presentence Investigation Report prepared on behalf of Loran Eugene Hall, Sr. in Criminal Case Number 89-CR-083-001-E. If an appointment at an earlier date would be more convenient, please contact the officer who conducted the investigation. If there are objections, be prepared to make them known at this review.


Dated this 5 day of April, 1991.

Rod Baker  
ROD BAKER, CHIEF  
U. S. PROBATION OFFICER

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of April, 1991, a true, exact, and correct copy of the above and foregoing instrument was mailed to the following:

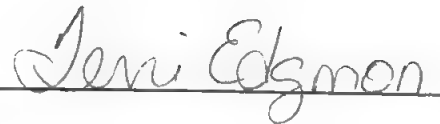
Paul D. Brunton  
1310 S. Denver  
Tulsa, Oklahoma 74119  
(918) 582-1993



---

and

Jack Morgan  
3600 U.S. Court House  
Tulsa, Oklahoma 74101  
(918) 581-7463



---

# United States District Court FILED

Northern

DISTRICT OF

Oklahoma

FEB 11 1991

UNITED STATES OF AMERICA  
V.

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

## APPEARANCE BOND

Loran Eugene Hall, Sr.

Defendant

CASE NUMBER: 89-CR-83-E ✓

Non-surety: I, the undersigned defendant acknowledge that I and my...

Surety: We, the undersigned, jointly and severally acknowledge that we and our...

personal representatives, jointly and severally, are bound to pay to the United States of America the sum of \$ 5,000.00, and there has been deposited in the Registry of the Court the sum of \$ ----- in cash or surety (describe other security.)

The conditions of this bond are that the defendant Loran Eugene Hall, Sr.

(name)

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on 2-11-91 at Tulsa, Oklahoma

Date

Place

Defendant: Loran Eugene Hall Sr.

Address: 1619 E 10 Newton KS  
316 283 1028

Surety: INDIANA LUMBER INS. CO.

Address: -----

Surety: BY [Signature] Attorney in Fact

Address: 1422 So Denver Tulsa, Ok  
74119

Signed and acknowledged before me on 2-11-91

Date

Judicial Officer/Clerk

Approved: [Signature]

POWER AMOUNT  
\$5,000

POWER OF ATTORNEY

Indiana Lumbermens Mutual Insurance Company

BB5

396363

3600 Woodview Trace, P.O. Box 68932, Indianapolis, IN 46268

KNOW ALL MEN BY THESE PRESENTS: that INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY, a corporation duly organized and existing under the laws of the State of Indiana, has made, pursuant to By-Laws duly adopted by the Directors of said company, and now in full force and effect, does constitute and appoint, and by these presents does make, constitute and appoint the below named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only.

Authority of such Attorney-in-Fact is limited to appearance bonds, especially no authority is provided herein for the execution of surety immigration bonds, and cannot be construed to guarantee for failure to provide payments, back alimony payments, fines or wage law claims, on behalf of below named defendant.

This power void if altered or erased, void if used with other powers of this company or other powers of other companies to furnish bail in excess of the stated face amount of this power, and can only be used once. The obligation of the company shall not exceed the sum of

FIVE THOUSAND (\$5,000.00) DOLLARS

and provided this Power-Of-Attorney is filed with the bond and retained as a part of the court records. The said Attorney-In-Fact is hereby authorized to insert in this Power-Of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 11 day of Feb, 19 91.

Bond Amount \$ 5000<sup>00</sup>/00 Appearance Date 4-21-91

Defendant: Arrian E. Hall Sr.

Case # 89-CR-83-E

Court Federal City Indianapolis St. Ok

Offense Muf. Melanophryniscus

Executing Agent Margie Chenhall



INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY

R. L. Harrison

President

USI-9B

# United States District Court

Northern DISTRICT OF Oklahoma

UNITED STATES OF AMERICA

v.

AMENDED  
ORDER SETTING CONDITIONS  
OF RELEASE

Case Number: 89-CR-83-E

Loran Eugene Hall, Sr.  
Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing of any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear at (if blank, to be notified) U.S. Courthouse  
Place  
333 West 4th on April 29, 1991 at 1:15 p.m.  
Date and Time

## Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- ( ☒ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- ( ☐ ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

**Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and State) \_\_\_\_\_

(Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

( X ) (7) The defendant shall:

( ) (a) maintain or actively seek employment.

( ) (b) maintain or commence an educational program.

(X) (c) abide by the following restrictions on his personal associations, place of abode, or travel:

Travel restricted to the Wichita area and the Northern District of Oklahoma.

( ) (d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:

( ) (e) report on a regular basis to the following agency:

( ) (f) comply with the following curfew: \_\_\_\_\_

( ) (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.

( ) (h) refrain from excessive use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.

( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: \_\_\_\_\_

( ) (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: \_\_\_\_\_

( ) (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: \_\_\_\_\_

(X) (l) execute a bail bond with solvent sureties in the amount of \$ 5,000.00

( ) (m) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

( ) (n) surrender any passport to \_\_\_\_\_

( ) (o) obtain no passport.

( ) (p) \_\_\_\_\_

### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

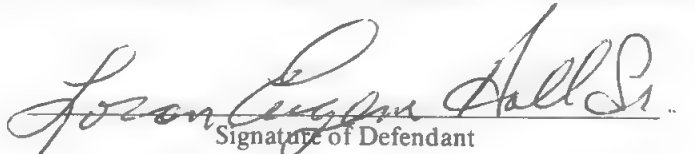
It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

  
Signature of Defendant  
1619 E. 10<sup>TH</sup>, NEWTON  
Address  
KS. 316-283-1028  
City and State Telephone

### Directions to United States Marshal

- ( ☒ ) The defendant is ORDERED released after processing.  
( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: February 11, 1991

  
Signature of Judicial Officer

Jeffrey S. Wolfe, U.S. Magistrate Judge  
Name and Title of Judicial Officer



# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

U.S.A.

V.

**NOTICE**

LORAN EUGENE HALL, SR.

CASE NUMBER: 89-CR-83-01-E

TYPE OF CASE:

☐ CIVIL☒ CRIMINAL

TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:

PLACE

U. S. COURTHOUSE  
TULSA OK

ROOM NO.

COURTROOM #2

DATE AND TIME

APRIL 29, 1991, 1:15 P.M.

TYPE OF PROCEEDING

SENTENCE



TAKE NOTICE that the proceeding in this case has been continued as indicated below:

PLACE

DATE AND TIME PREVIOUSLY  
SCHEDULEDCONTINUED TO, DATE  
AND TIME

JACK C. SILVER, CLERK

U.S. MAGISTRATE OR CLERK OF COURT

2-11-91

DATE

Beverly McCullough

(BY) DEPUTY CLERK

To: Paul Brunton  
Bruce Mills  
Jack Morgan  
Probation

MINUTE SHEET - CRIMINAL

CR. CASE NO. 89-CR-83-D1-E

DATE 2/11/91 USA vs. Leran Eugene Hall, Jr. (AGE) 61

ARRAIGNMENT &/OR CHANGE OF PLEA

JUDGE COOK _____	Deputy R. Miller _____	Reporter Simpson _____
JUDGE ELLISON <u>✓</u>	Deputy McCullough <u>✓</u>	Reporter Dorrough <u>✓</u>
JUDGE BRETT _____	Deputy Overton _____	Reporter Caslavka _____
MAG. WAGNER _____	Deputy J. Miller _____	Reporter _____
_____	_____	Recorded _____
MAG. WOLFE _____	Deputy Mayes _____	Reporter _____
_____	_____	Recorded _____

Counsel for Government J. Morgan  
 Counsel for Defendant P. Brunton, B. Erickson, B. Mills  
mark Ogle Retained; Court Appointed; FPD

★ Defendant appears in person with counsel; without counsel; counsel waived  
 Defendant acknowledges receipt of Indictment; Information

✓ Waives Indictment; jury trial; 30 days preparation; separate representation

✓ Waivers approved by Court

Defendant advised of charge and arraigned

✓ Indictment, Superseding Indictment; Information; Superseding Information;  
 Filed; read; reading waived

✓ Enter plea of Guilty as to Counts 1

✓ Defendant withdraws plea(s) of Not Guilty to Counts 1

Counts \_\_\_\_\_ to be dismissed at sentence

✓ Petition to enter plea of guilty sworn to and executed; Defendant relates  
 facts of charge; petition (and ~~the~~ Plea Agreement) approved and filed

✓ Defendant adjudged guilty as charged in Counts 1

Findings re: Plea Agreement; Made/Reserved

Objections to PSI to be filed by \_\_\_\_\_

Rule 32 hearing set \_\_\_\_\_

SENTENCE SET April 29, 1991 1:15 pm ✓ PSI ordered

Defendant allowed to stand on present bond; Defendant remanded to USM  
until bond is made

\_\_\_\_\_ Defendant(s) to file any and all pre-trial motions

\_\_\_\_\_ Government to respond

\_\_\_\_\_ Certification of Discovery Disputes

\_\_\_\_\_ Pre-trial conference & hearing on motions at \_\_\_\_\_

\_\_\_\_\_ Parties to file any suggested voir dire, inst. & trial brief

\_\_\_\_\_ Jury trial; Non-Jury trial at \_\_\_\_\_

★ Shift found competent at time of commission of acts  
& at this time

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED  
IN COURT

11 18

UNITED STATES OF AMERICA,

Plaintiff,

vs.

*Loran Eugene Hall, Sr.*

Defendant.

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

Criminal Case

No. 89-CR-83-01-E ✓

WAIVER OF JURY

I, the undersigned defendant, having been fully apprised of my rights, do hereby waive a jury and agree to try the above-entitled case to the Court as provided by Rule 23(a), Rules of Criminal Procedure.

CONSENT OF GOVERNMENT:

*[Signature]*  
United States Attorney

*[Signature]*  
Defendant

*[Signature]*  
Attorney for Defendant

Signed and approved in open Court this 11 day of

February, 1991.

*[Signature]*  
UNITED STATES DISTRICT JUDGE

FILED  
IN CLERK'S OFFICE  
11/10/89  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
LOREN EUGENE HALL, SR. )  
 )  
Defendant. )

No. 89-CR-83-01-E

PETITION TO ENTER PLEA OF GUILTY  
AND  
ORDER ENTERING PLEA

(Federal Rules of  
Criminal Procedure,  
Rules 10 and 11)

*The defendant represents to the Court:*

(1) My full true name is: Loren Eugene Hall, Sr.  
I am 61 years of age. I have gone to school up to and  
including high school. I request that all proceedings  
against me be in my true name.

(2) I am represented by a lawyer; his/her name is:  
Paul D. Brunton.

(3) I received a copy of the Indictment before being called  
upon to plead. I read the Indictment and have discussed it with  
my lawyer. I fully understand every charge made against me.

(4) I told my lawyer all the facts and circumstances known  
to me about the charges made against me in the Indictment. I  
believe that my lawyer is fully informed on all such matters.

(5) I know that the Court must be satisfied that there is a  
factual basis for a plea of "GUILTY" before my plea can be  
accepted. I represent to the Court that I did the following acts  
in connection with the charge(s) made against me in Count(s)  
I put up \$17,000 to purchase chemicals & other  
items necessary to manufacture methamphetamine  
in Tulsa in October & November of 1988 - I assisted  
DAVID LADD, STEVE CRUBER, & JEFF LNU in cooking the  
methamphetamine. I was to receive 50% of the product.  
(In the above space defendant must set out in detail what (s)he did. If more space is needed, add a separate page.)

"Indictment" also includes "Information."

NOTE: If the space provided is not sufficient for a complete response, you should add an attachment and  
indicate an answer is made in attachment.

(6) My lawyer has counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that I might have in this case.

(7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY", I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.

(8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am "GUILTY".

(9) I know that if I plead "GUILTY" I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.

(10) Know that if I plead "GUILTY" the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.

(11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment, which, as provided by law is 20 years imprisonment and/or a fine of \$up to \$1,000,000.00. My lawyer has further advised me that if the offense(s) to which I plead "GUILTY" occurred on or after January 1, 1985, the maximum fine is the largest of:

- (a) The amount specified in law defining the offense
- (b) Double the gross pecuniary gain derived by a defendant from the offense
- (c) Double the pecuniary loss caused by the offense to another person

	<u>Individual Def.</u>	<u>Other Def.</u>
(d) Any Felony; Misdemeanor resulting in Death	\$ 250,000	\$500,000
Other Misdemeanor punishable by more than six months	100,000	200,000

My lawyer has also advised me that a Special Monetary Assessment in the amount of \$50.00 will be assessed per count if the offense(s) occurred on or after November 12, 1984.

Further, my lawyer has advised me that if the offense(s) to which I plead "GUILTY" occurred after December 31, 1982, and the offense(s) charge violation(s) of any statute found under Title 18 of the United States Code or certain subsections of the Federal Aviation Act (Title 49 U.S.C. 1472), that Title 18 U.S.C. et seq. authorizes a court to sentence a defendant to pay restitution in addition to or in lieu of any other penalty permitted by law, to any victim of the offense(s).

Also, if convicted of certain drug offense(s) under Title 21, an additional term of at least 5 years Special Parole/Supervised Release must be imposed.

I have been advised by counsel that I will be sentenced pursuant to the sentencing guidelines procedure established by Title 18 U.S.C. 3553 et seq. I understand that sentencing is a matter left exclusively in the province of the Court; and I understand that the sentence imposed by the Court may be within the guideline table range provided by law, or for good cause stated the Court may depart therefrom after a review of all relevant facts and circumstances of my case have been considered by the Court.

I further understand the Court may impose a term of Supervised Release that will run after any term of confinement that might be imposed.

Further, I understand that probation is not available as a sentencing alternative to the Court in most cases under the sentencing guidelines, and that whenever probation is permissible under the sentencing guidelines it is exclusively within the Court's province to grant or deny probation.

(12) If I am on probation or parole in this or any other Court, I know that by pleading "GUILTY" here, my probation or parole may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this case.

(13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of lenience if I plead "GUILTY", except as follows:

(Here insert any promises or concessions made to the defendant or to his attorney. If the plea of "GUILTY" is the result of a plea agreement, refer to paragraph (14) of this petition.)

See paragraph 14

---

If anyone else, including my attorney, made such a promise, suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.

I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of "GUILTY".

(14) My plea of "GUILTY" is (is not) the result of a plea agreement entered into between the government attorney, my attorney, and me.

Since my plea of "GUILTY" is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:

See attached

---

I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of "GUILTY".

(15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.

(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:

Guilty as charged in the indictment.

---

"The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s) \_\_\_\_\_", "NOT GUILTY as charged in Count(s) \_\_\_\_\_".

(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are:

Lithium, Gaudryl, Sincuan, & Dilantin

(If none, so state.)

(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.)

FMC Rochester, Minn. - For competency evaluation - Found competent

See ALSO William L. Cooper's Report dated 1-15-91.

(19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of "GUILTY" is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.

(20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.

(21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.

Signed and Sworn to by me in open Court, in the presence of my attorney, this 11 day of FEB, 19 91.

  
Defendant

Subscribed and Sworn to before me this 11th day of Feb, 19 91.

  
Deputy Clerk



CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant Paul D. Brunton, hereby certifies:

(1) I have read and fully explained to the defendant the allegations contained in the Indictment in this case.

(2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

I have further explained to my client the provisions of guideline sentencing as established by Title 18 U.S.C. 3553 et seq., and that sentencing is left solely within the province of the Court.

My client fully understands that for good cause shown, the Court may depart from the guideline table range and further that probation is not available as a sentencing alternative in most cases under guideline sentencing. Also, my client fully understands that whenever probation is a permissible sentencing alternative, it is exclusively within the Court's discretion to grant or deny probation.

(3) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts (s)he related to me and is consistent with my advice to the defendant.

(4) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.

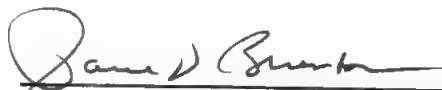
(5) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".

(6) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

NONE

(7) I further represent to the Court that the defendant's plea of "GUILTY" (is) (is not) the result of a plea agreement. The terms of the agreement are set out in paragraph (14) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him/her the opportunity to withdraw his/her plea of "GUILTY".

Signed by me in open Court in the presence of the defendant above named and after full discussion of the contents of this certificate with the defendant, this 11 day of FEB, 1991.



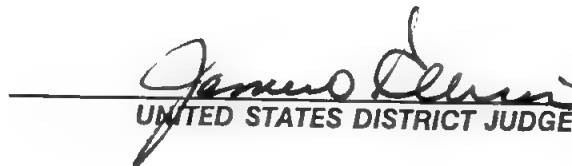
Attorney for the Defendant

O R D E R

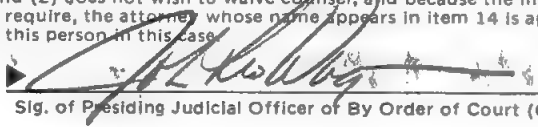

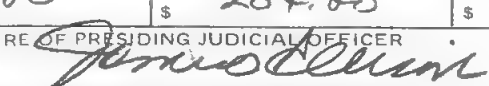

I find that the plea of "GUILTY" was made by the defendant freely, voluntarily, and because (s)he is "GUILTY" as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime(s) charged and that there is a factual basis for the pleas(s) of "GUILTY" and the defendant is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea(s) of "GUILTY" be accepted and entered as prayed for in the petition and as recommended in the certificate of his/her lawyer.

Done in open Court this 11<sup>th</sup> day of February, 1991.

  
UNITED STATES DISTRICT JUDGE

CJA 20- (Int. 1/88) **APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL**

1. JURISDICTION 1 <input type="checkbox"/> MAG. 2 <input checked="" type="checkbox"/> DIST. 3 <input type="checkbox"/> APPEALS 4 <input type="checkbox"/> OTHER		2. MAG. DOCKET NO.		3. DIST. CT. (ET NO.) <b>89-CR-83-E</b>		VOUCHER NO. <b>0154891</b>																																																																																												
4. APPEALS DOCKET NO.		5. FOR (DISTRICT/CIRCUIT) <b>ND OKLAHOMA</b>		6. LOC. CODE <b>OKNTU</b>		7. CHARGE/OFFENSE (U.S. or other code citation) <b>21:841(a)(1)</b>		7A. CASE CODE <b>68</b>																																																																																										
8. IN THE CASE OF <b>U.S.A. vs MARTENEY</b>				9. PERSON REPRESENTED (FULL NAME) <b>BARBARA ANN MARTENEY</b>			9A. NO. REPRES. <b>1</b>																																																																																											
10. PERSON REPRESENTED (STATUS) 1 <input checked="" type="checkbox"/> DEFENDANT-ADULT 3 <input type="checkbox"/> APPELLANT 5 <input type="checkbox"/> OTHER 2 <input type="checkbox"/> DEFENDANT-JUVENILE 4 <input type="checkbox"/> APPELLEE				11. PROCEEDINGS (Describe briefly) <b>All Proceedings</b>																																																																																														
12. PAYMENT CATEGORY A <input checked="" type="checkbox"/> FELONY C <input type="checkbox"/> PETTY OFFENSE E <input type="checkbox"/> OTHER B <input type="checkbox"/> MISDEMEANOR D <input type="checkbox"/> APPEAL																																																																																																		
13. COURT ORDER O <input checked="" type="checkbox"/> Appointing Counsel F <input type="checkbox"/> Subs. for FD P <input type="checkbox"/> Subs. for Panel Atty. C <input type="checkbox"/> Co-Counsel R <input type="checkbox"/> Subs. for Retained Atty. Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in item 14 is appointed to represent this person in this case.  Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy) <b>October 24, 1989</b> Date of Order Nunc Pro Tunc Date																																																																																																		
				14. NAME OF ATTORNEY/PAYEE AND MAILING ADDRESS <b>Ronald C. Bennett P.O. Box 14070 Tulsa, OK 74127</b>																																																																																														
				15. TELEPHONE NO. <b>(918) 592-5592</b>		16. SOC. SEC. NO. <b>442-44-2036</b>																																																																																												
<b>CLAIM FOR SERVICES OR EXPENSES</b>																																																																																																		
<table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th colspan="2">SERVICE</th><th>HOURS</th><th>DATES</th><th></th></tr></thead><tbody><tr><td rowspan="8" style="writing-mode: vertical-rl; transform: rotate(180deg);">IN COURT</td><td>17. a. Arraignment and/or Plea</td><td>.60</td><td>10-24; 11-29; <del>1-26-90</del></td><td rowspan="8">Multiply rate per hour times total hours to obtain "In Court" compensation.  Enter total below.  17A. TOTAL IN COURT COMP.  <b>\$ 48.00</b></td></tr><tr><td>b. Bail and Detention Hearings</td><td></td><td></td></tr><tr><td>c. Motions Hearings</td><td></td><td></td></tr><tr><td>d. Trial</td><td></td><td></td></tr><tr><td>e. Sentence Hearings</td><td>.2</td><td>1-26-90</td></tr><tr><td>f. Revocation Hearings</td><td></td><td></td></tr><tr><td>g. Appeals Court</td><td></td><td></td></tr><tr><td>h. Other (Specify on additional sheets)</td><td></td><td></td></tr><tr><td colspan="2">(Rate per hour = \$60 ) TOTAL HOURS =</td><td>.8</td><td></td><td></td></tr><tr><td rowspan="6" style="writing-mode: vertical-rl; transform: rotate(180deg);">OUT OF COURT</td><td>18. a. Interviews and conferences</td><td>5.0</td><td>See Exhibit "A" (attached hereto)</td><td rowspan="6">Multiply rate per hour times total hours. Enter total "out of court" compensation below.  18A. TOTAL OUT OF COURT COMPENSATION  <b>\$ 204.00</b></td></tr><tr><td>b. Obtaining and reviewing records</td><td>.1</td><td>1-3-90</td></tr><tr><td>c. Legal research and brief writing</td><td></td><td></td></tr><tr><td>d. Travel time (Specify on additional sheets)</td><td></td><td></td></tr><tr><td>e. Investigative and other work (Specify on additional sheets)</td><td></td><td></td></tr><tr><td>(Rate per hour = \$40 ) TOTAL HOURS =</td><td>5.1</td><td></td></tr><tr><td rowspan="8" style="writing-mode: vertical-rl; transform: rotate(180deg);">EXPENSES</td><td>19. TRAVEL, LODGING, MEALS ETC.</td><td>AMOUNT</td><td>OTHER EXPENSES</td><td>AMOUNT</td><td rowspan="8">19A. TOTAL TRAVEL EXP.  <b>\$ -0-</b>  19B. TOTAL OTHER EXP.  <b>\$ -0-</b>  20. GRAND TOTAL CLAIMED  <b>\$ 252.00</b></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr></tbody></table>									SERVICE		HOURS	DATES		IN COURT	17. a. Arraignment and/or Plea	.60	10-24; 11-29; <del>1-26-90</del>	Multiply rate per hour times total hours to obtain "In Court" compensation.  Enter total below.  17A. TOTAL IN COURT COMP.  <b>\$ 48.00</b>	b. Bail and Detention Hearings			c. Motions Hearings			d. Trial			e. Sentence Hearings	.2	1-26-90	f. Revocation Hearings			g. Appeals Court			h. Other (Specify on additional sheets)			(Rate per hour = \$60 ) TOTAL HOURS =		.8			OUT OF COURT	18. a. Interviews and conferences	5.0	See Exhibit "A" (attached hereto)	Multiply rate per hour times total hours. Enter total "out of court" compensation below.  18A. TOTAL OUT OF COURT COMPENSATION  <b>\$ 204.00</b>	b. Obtaining and reviewing records	.1	1-3-90	c. Legal research and brief writing			d. Travel time (Specify on additional sheets)			e. Investigative and other work (Specify on additional sheets)			(Rate per hour = \$40 ) TOTAL HOURS =	5.1		EXPENSES	19. TRAVEL, LODGING, MEALS ETC.	AMOUNT	OTHER EXPENSES	AMOUNT	19A. TOTAL TRAVEL EXP.  <b>\$ -0-</b>  19B. TOTAL OTHER EXP.  <b>\$ -0-</b>  20. GRAND TOTAL CLAIMED  <b>\$ 252.00</b>																												
SERVICE		HOURS	DATES																																																																																															
IN COURT	17. a. Arraignment and/or Plea	.60	10-24; 11-29; <del>1-26-90</del>	Multiply rate per hour times total hours to obtain "In Court" compensation.  Enter total below.  17A. TOTAL IN COURT COMP.  <b>\$ 48.00</b>																																																																																														
	b. Bail and Detention Hearings																																																																																																	
	c. Motions Hearings																																																																																																	
	d. Trial																																																																																																	
	e. Sentence Hearings	.2	1-26-90																																																																																															
	f. Revocation Hearings																																																																																																	
	g. Appeals Court																																																																																																	
	h. Other (Specify on additional sheets)																																																																																																	
(Rate per hour = \$60 ) TOTAL HOURS =		.8																																																																																																
OUT OF COURT	18. a. Interviews and conferences	5.0	See Exhibit "A" (attached hereto)	Multiply rate per hour times total hours. Enter total "out of court" compensation below.  18A. TOTAL OUT OF COURT COMPENSATION  <b>\$ 204.00</b>																																																																																														
	b. Obtaining and reviewing records	.1	1-3-90																																																																																															
	c. Legal research and brief writing																																																																																																	
	d. Travel time (Specify on additional sheets)																																																																																																	
	e. Investigative and other work (Specify on additional sheets)																																																																																																	
	(Rate per hour = \$40 ) TOTAL HOURS =	5.1																																																																																																
EXPENSES	19. TRAVEL, LODGING, MEALS ETC.	AMOUNT	OTHER EXPENSES	AMOUNT	19A. TOTAL TRAVEL EXP.  <b>\$ -0-</b>  19B. TOTAL OTHER EXP.  <b>\$ -0-</b>  20. GRAND TOTAL CLAIMED  <b>\$ 252.00</b>																																																																																													
21. CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD <b>10/24/89</b> TO <b>1/26/90</b> F <input checked="" type="checkbox"/> Final Payment I <input type="checkbox"/> Interim Payment No. Has compensation and/or reimbursement for work in this case previously been applied for? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, by whom were you paid? _____ How much? _____ Has the person represented paid any money to you, or to your knowledge to anyone else, in connection with the matter for which you were appointed to provide representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements  SIGNATURE OF ATTORNEY/PAYEE <b>1-30-91</b> DATE																																																																																																		
APPROVED FOR PAYMENT	22. IN COURT COMP. \$ <b>48.00</b>	23. OUT OF COURT COMP. \$ <b>204.00</b>	24. TRAVEL EXPENSE \$	25. OTHER EXPENSES \$	26. TOTAL AMT. APPROVED/CERT. \$ <b>252.00</b>																																																																																													
	27. SIGNATURE OF PRESIDING JUDICIAL OFFICER 			DATE	27A. JUDGE/CLERK CODE <b>8511</b>																																																																																													
	28. SIGNATURE OF CHIEF JUDGE, CLERK OF APPEALS (OR DELEGATE) 			DATE <b>2/4/91</b>	29. TOTAL AMT. APPROVED \$ <b>252.00</b>																																																																																													

## IN COURT HOURLY WORKSHEET

[illegible]

# OUT OF COURT HOURLY WORKSHEET

[illegible]

EXHIBIT "A"

Out of Court Dates

A. Interviews and Conferences: 10-24-89; 10-31-89; 11-6-89; 11-22-89;  
11-29-89; 1-3-90; 1-5-90; and 1-26-90

**FEDERAL PUBLIC DEFENDER**

WESTERN, NORTHERN AND EASTERN DISTRICTS OF OKLAHOMA

**DAVID BOOTH**  
FEDERAL PUBLIC DEFENDER

**SUSAN OTTO**  
SUPERVISORY ASSISTANT  
FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT ☒  
SUITE 524, 215 DEAN A. MCGEE  
OKLAHOMA CITY, OKLAHOMA 73102  
(405) 231-5725 FTS 736-5725

NORTHERN AND EASTERN DISTRICTS ☐  
222 SOUTH HOUSTON, SUITE C  
TULSA, OKLAHOMA 74127  
(918) 581-7656 FTS 745-7656

February 1, 1991

Honorable James O. Ellison  
United States District Judge  
for the Northern District of Oklahoma  
Attn: Ms. Rosanne Miller  
411 United States Courthouse  
333 West 4th Street  
Tulsa, Oklahoma 74103

Re: United States of America vs. Marteney, Barbara Ann  
Case No. 89-CR-83-E  
CJA Voucher No. 0154891

Dear Judge Ellison:

Mr. Ronald C. Bennett, attorney at law, was appointed to represent Barbara Ann Marteney in the above referenced cause.

Mr. Bennett informed me he has completed his service in this matter. He submitted his CJA-20 to me in order that I might review it for its technical and mathematical accuracy. I have reviewed the voucher and it appears to be in good order. Therefore, I am sending the voucher to you for your consideration.

Respectfully,

  
David Booth

DB:jtt

Enclosure: CJA-20 Voucher and supporting documents

cc: Mr. Ronald C. Bennett

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.

JAN 22 1991

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

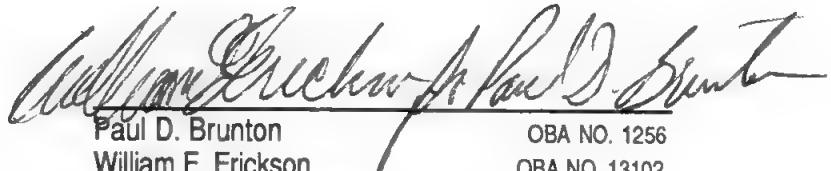
Criminal No. 89-CR-83-01-E ✓

OBA #1256

WAIVER OF SPEEDY TRIAL

COMES NOW on this 11 day of Jan, 1991, LORAN EUGENE HALL, SR.,  
Defendant in the above-captioned case, and hereby files this waiver of speedy trial pursuant to 18 U.S.C.  
§ 3161 (h) (8) (A).

  
LORAN EUGENE HALL, SR.

  
Paul D. Brunton  
William E. Erickson  
Attorney for Defendant  
LORAN EUGENE HALL, SR.  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119  
(918) 582-1993

OBA NO. 1256

OBA NO. 13102

CERTIFICATE OF DELIVERY

I hereby certify that on this 22 day of Jan, 1991, a true and correct copy of the  
above and foregoing Waiver of Speedy Trial, was delivered to the United State's Attorney's office, 3600  
U.S. Courthouse, Tulsa, Oklahoma, 74103.

  
PAUL D. BRUNTON



FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JAN 3 1991

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.


Criminal No. 89-CR-83-01-E ✓

OBA #1256

ORDER

NOW, on this 3<sup>rd</sup> day of Jan, 1991, this Court having read the defendant's Application for Continuance hereby acknowledges the facts as stated and grants this continuance.

The defendant's pretrial conference/competency hearing will now be scheduled for the 11<sup>th</sup> day of February, 1991, at 1:00 P.M. The defendant's trial will hereby be scheduled for the 19<sup>th</sup> day of February, 1991, at 9:30 A.M. The Court further acknowledges that the defendant's notice in his Application for Continuance of his wavier of right to speedy trial but directs that Defendant file a formal waiver of right to speedy trial by January 22, 1991.

  
JUDGE JAMES O. ELLISON  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

45

2

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

Plaintiff,

vs.

LOREN E. HALL SR.

Defendant.

No. 89-CR-83-E ✓

OBA# 1256

**FILED**

JAN 3 1991 *dt*

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

**APPLICATION FOR CONTINUANCE**

**COMES NOW** the defendant by and through his attorney Paul D. Brunton and for this Application for Continuance states as follows:

Defendant's counsel has been in contact with the independent psychologist appointed by the Court to determine the defendant's competency to stand trial, who has informed us that his report will not be completed by the 4th of January, 1991. This delay is mostly due to the slow response by the Bureau of Prisons and Federal Medical Center (FMC) Rochester, Minnesota, in sending forth the medical records requested by the defendant. Further the defendant's counsel, Paul D. Brunton, has scheduling conflicts that have arisen and needs some additional time to resolve these conflicts and prepare this case.

A.U.S.A. Jack Morgan has no objection to this matter being continued.

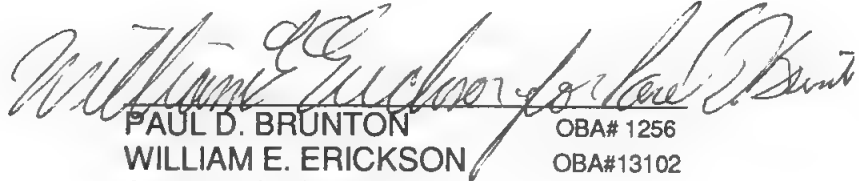
Counsel would suggest that this matter continued a minimum of 30 days.

Defendant further waives his right to speedy trial.

**THEREFORE** counsel for the defendant requests this Honorable Court to continue the defendant's pretrial and trial now set for January 4, 1991, and January 15, 1991 respectively, until such time as the defendant's psychologist is able to complete an independent evaluation as to the defendant's competency to stand trial.

24  
*afp*  
*U.S.*

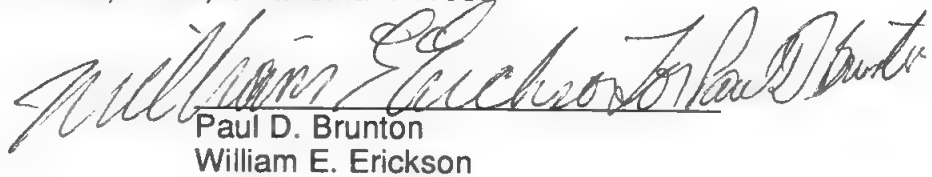
Further, the defendant requests continuance due to conflict in the defendant's counsel trial schedule.

  
PAUL D. BRUNTON OBA# 1256  
WILLIAM E. ERICKSON OBA#13102

Attorney for Defendant  
LORAN E. HALL SR.  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119  
(918) 582-1993

CERTIFICATE OF DELIVERY

Now on this \_\_\_\_ day of \_\_\_\_\_, 1991, the defendant delivered a true and correct copy of the above and foregoing Application for Continuance to A. U. S. A. Jack Morgan, 333 West Fourth Street, Tulsa, Oklahoma 74103.

  
Paul D. Brunton  
William E. Erickson

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA  
CLERK'S OFFICE  
UNITED STATES COURT HOUSE  
TULSA, OKLAHOMA 74103

JACK C. SILVER  
CLERK

November 26, 1990

(918) 581-7796  
(FTS) 745-7796

RECEIVED

DEC 3 1990

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

Ralph DeLoach  
204 U S Courthouse  
401 North Market Street  
Wichita, Kansas 67202

Re: Michael Steven Hall  
Our #89-CR-83-06-E  
Transfer of Jurisdiction

Dear Mr. DeLoach:

In compliance with the Rules of Criminal Procedure, I am enclosing a certified transcript of proceedings in the above case.

Please acknowledge receipt of this transcript on the enclosed copy of this letter and return in the self-addressed envelope.

Yours truly,

JACK C. SILVER, CLERK

By:

*C. Smith*

Deputy Clerk

Documents received 11-28-90

By

B. Stinson, Deputy Clerk  
Our ~~file~~ file # 90-10016A-C

**FILED**

PROB 22  
(Rev. 2/88)

NOV 26 1990

DOCKET NUMBER (Tran. Court) ✓  
89-CR-83-06  
DOCKET NUMBER (Rec. Court)

**TRANSFER OF JURISDICTION**

Jack E. Silver, Clerk  
U.S. DISTRICT COURT

NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE  Michael Steven Hall 1619 E. 10th Newton, Kansas 67114	DISTRICT		DIVISION
	Northern Oklahoma		Criminal
	NAME OF SENTENCING JUDGE  The Honorable James O. Ellison		
DATES OF PROBATION/SUPERVISED RELEASE		FROM	TO
		10/9/90	10/8/95

**OFFENSE**


Title 21:USC:346; 841(a)(1)  
Conspiracy to Manufacture, Possess With Intent to Distribute Methamphetamine  
(Count One)

**PART 1 - ORDER TRANSFERRING JURISDICTION**

UNITED STATES DISTRICT COURT FOR THE Northern DISTRICT OF Oklahoma

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the District of Kansas upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.\*

11/7/90  
Date

  
United States District Judge


\*This sentence may be deleted in the discretion of the transferring Court.

**PART 2 - ORDER ACCEPTING JURISDICTION**

UNITED STATES DISTRICT COURT FOR THE \_\_\_\_\_ DISTRICT OF Kansas

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

20 November 1990  
Effective date

  
United States District Judge

**FILED**

**TRANSFER OF JURISDICTION**

**NOV 26 1990**

DOCKET NUMBER (Tran. Court)

89-CR-83-06

DOCKET NUMBER (Rec. Court)

**Jack E. Silver, Clerk**

**U.S. DISTRICT COURT**

NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE

Michael Steven Hall  
1619 E. 10th  
Newton, Kansas 67114

DISTRICT

Northern Oklahoma

DIVISION

Criminal

NAME OF SENTENCING JUDGE

The Honorable James O. Ellison

DATES OF PROBATION/  
SUPERVISED RELEASE

FROM

10/9/90

TO

10/8/95

OFFENSE

Title 21:USC:846; 841(a)(1)

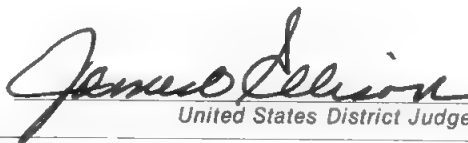
Conspiracy to Manufacture, Possess With Intent to Distribute Methamphetamine  
(Count One)

**PART 1 - ORDER TRANSFERRING JURISDICTION**

UNITED STATES DISTRICT COURT FOR THE Northern DISTRICT OF Oklahoma

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the District of Kansas upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.\*

11/7/90  
Date

  
United States District Judge

\*This sentence may be deleted in the discretion of the transferring Court.

**PART 2 - ORDER ACCEPTING JURISDICTION**

UNITED STATES DISTRICT COURT FOR THE \_\_\_\_\_ DISTRICT OF Kansas

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

11-20-90  
Effective date

/S/SAM A. CROW  
United States District Judge

**UNITED STATES DISTRICT COURT**

NORTHERN DISTRICT OF OKLAHOMA

CLERK'S OFFICE

UNITED STATES COURT HOUSE

TULSA, OKLAHOMA 74103

**JACK C. SILVER**  
CLERK

November 26, 1990

(918) 581-7796  
(FTS) 745-7796

Ralph DeLoach  
204 U S Courthouse  
401 North Market Street  
Wichita, Kansas 67202

Re: Michael Steven Hall  
Our #89-CR-83-06-E  
Transfer of Jurisdiction

Dear Mr. DeLoach:

In compliance with the Rules of Criminal Procedure, I am enclosing a certified transcript of proceedings in the above case.

Please acknowledge receipt of this transcript on the enclosed copy of this letter and return in the self-addressed envelope.

Yours truly,

JACK C. SILVER, CLERK

By: *Comuch*

Deputy Clerk

Documents received \_\_\_\_\_,

By \_\_\_\_\_

FILED

NOV 2 1990

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

LORAN E. HALL SR. )


Defendant. )

NO. 89-CR-83-E ✓

ORDER

NOW on this 2<sup>d</sup> day of November, 1990 this matter having come before me the undersigned Judge of the U. S. District Court for the Northern District of Oklahoma on the defendant's application for an order to expedite the delivery of Defendant's medical records.

**THEREFORE** this Court having read the application finds that the U. S. *Department of Justice* should be and are hereby ordered to expedite delivery of Defendant's medical records to the defendant's counsel for use by Dr. Cooper in his psychological evaluation of the defendant, Loran E. Hall Sr.

  
JUDGE OF THE UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT  
OF OKLAHOMA



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

NOV 2 1990 *at*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

Criminal No. 89-CR-83-01-E ✓

OBA #1256

ORDER

NOW, on this 2<sup>d</sup> day of November, 1990, this matter comes on for consideration in the above styled matter and this Court, being fully advised of all premises, finds that the defendant has not completed his independent evaluation as to his competence to stand trial, due to medical records not having been furnished by the U. S. Department of Justice. Further due to the defendant's counsel's trial schedule this Court finds that the pre-trial and trial now set for November 5, 1990 at 10:30 a.m. and November 19, 1990 at 9:30 a.m. respectively should be reset.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this case which is hereby set for competency hearing and pretrial on November 5, 1990 at 10:30 a.m. Jury trial on November 19, 1990 at 9:30 a.m. that these matters are hereby reset for competency hearing and pretrial on the 4<sup>th</sup> day of January, 1991 at 10:00 a.m. and Jury trial on the 22<sup>nd</sup> day of January, 1991 at 9:30 a.m. The period between November 19, 1990 and January 22, 1991 shall be considered excludable under the provisions of the Speedy Trial Act, Title 18, U.S.C. §3161(h) (8). Defendant is ordered to file Waiver of Speedy Trial by November 19, 1990

*James O. Ellison*  
JUDGE JAMES O. ELLISON  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

NOV 1 1990

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

Plaintiff,

vs.

LOREN E. HALL SR.

Defendant.

No. 89-CR-83-E

APPLICATION FOR CONTINUANCE

**COMES NOW** the defendant by and through his attorney Paul D. Brunton and requests this Honorable Court to continue the trial of Loren E. Hall Sr. for purposes of completion of his independent evaluation as to his competency to stand trial.

Counsel has requested medical records of his evaluation at the Federal Medical Center (FMC) Rochester, Minnesota, from approximately June 1, 1990 to September 1, 1990. As of the date of this Application of these reports have not been forwarded to the defendant's counsel. An Application for a Court Order for the Bureau of Prisons to expedite delivery of these records has been filed for the Court's consideration. Thus, without these reports a proper evaluation can not be completed at this time.

Further, defendant's counsel, Paul D. Brunton, is scheduled to start a Federal Jury trial in the Eastern District of Oklahoma in Muskogee, Oklahoma the morning of November 5, 1990 at 9:30 a.m.

A. U. S. A. Jack Morgan has no objection to the continuance of this  
matter.

THEREFORE counsel for the defendant requests this Honorable Court to continue the defendant's pretrial and trial now set for November 5, 1990 at 10:30 a.m.

and November 19, 1990 at 9:30 a.m. respectively, until such time as these medical records are received by the defendant's counsel and the defendant's psychologist for purposes of completion of the defendant's independent evaluation as to his competency to stand trial. Further, the defendant requests continuance due to conflict in the defendant's counsel trial schedule.



PAUL D. BRUNTON

OBA# 1256

WILLIAM E. ERICKSON

OBA#13102

Attorney for Defendant

LORAN E. HALL SR.

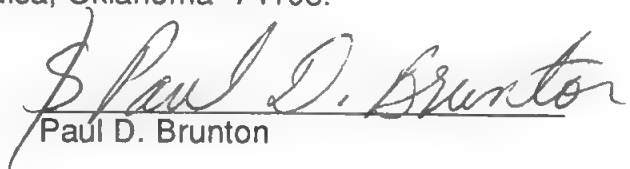
1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993

CERTIFICATE OF MAILING

I hereby certify on this 1st day of NOV, 1990, that I mailed, postage prepaid, a copy of the above and foregoing Application for Continuance to A. U. S. A. Jack Morgan, 333 West Fourth Street, Tulsa, Oklahoma 74103.



Paul D. Brunton

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
LORAN E. HALL SR. )  
 )  
Defendant. )

NO. 89-CR-83-E ✓

OBA NO. 1256

FILED

OCT 30 1990 B

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

**APPLICATION FOR AND ORDER OF THE COURT FOR  
THE U.S. GOVERNMENT TO EXPEDITE DELIVERY OF  
THE DEFENDANT HALL'S MEDICAL RECORDS**


**COMES NOW** the defendant by and through his counsel of record Paul D. Brunton and William E. Erickson and requests this Court to order the the *U.S. Department of Justice* to expedite the delivery of the medical records of Loran E. Halls Sr. to the defendant's counsel.

Defendant was examined under the court's order at the Federal Medical Center, Rochester, Minnesota, during the Summer of 1990. These records have been requested as of this time and the records center in Rochester has passed the request on to the *U.S. Department of Justice*. (See Attached)

The Court on October 4, 1990 appointed Dr. William Cooper for an independent evaluation of the defendant at the request of the defendant's counsel.

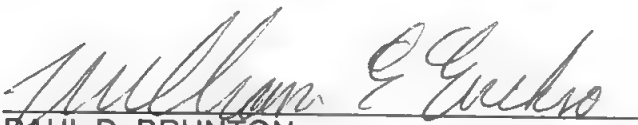
These records from the *U.S. Department of Justice* are necessary for the proper evaluation of the defendant Hall by Dr. Cooper and counsel, and without them the disposition of this matter would be severely hampered and delayed. As of the time of this Application the records have not been delivered.

**THEREFORE** Defendant would request the Court issue an order to the *U. S. Department of Justice* requesting the expeditious delivery of these medical records to the defendants counsel for the use by Dr. Cooper in evaluation Loran E. Hall Sr.

  
PAUL D. BRUNTON OBA # 1256  
WILLIAM E. ERICKSON OBA # 13102  
Attorney for Defendant  
LORAN E. HALL SR.  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119

CERTIFICATE OF DELIVERY

I certify that I hereby delivered a copy of this Application For An Order Of The Court For the U.S. Government To Expedite Delivery Of The Defendant Hall's Medical Records to A. U. S. U. Jack Morgan, U. S. Attorney's Office, 333 West 4th Street, Tulsa, Oklahoma 74103.

  
PAUL D. BRUNTON  
WILLIAM E. ERICKSON

Paul D. Brunton  
Attorney at Law  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119  
(918) 582-1993  
FAX (918) 582-1991

September 25, 1990

Federal Medical Center  
P.O. Box 4600  
Rochester, Minnesota 55903-4600

C ATTENTION: Medical Records

Re: Loren E. Hall Sr.  
No. 05256031


O To Whom It May Concern:

We represent Loren E. Hall Sr. in the criminal matters now pending against him in the District Court of the Northern District of Oklahoma in Tulsa, Oklahoma. Mr. Hall was sent to your facility for an evaluation as to his competence to stand trial.

P We are writing to request the medical records in your custody on Mr. Hall. Enclosed is a signed medical release by him. We are now requesting the court have an independent evaluation done here in the Tulsa area, as is allowed by law, and need these records for the local doctor.

Your prompt attention to this matter would greatly be appreciated.

Y Sincerely,

  
William E. Erickson For Paul D. Brunton  
Attorney for Loren E. Hall

WEE:zs

Enclosure



RECEIVED  
OCT 10 1990

U.S. Department of Justice  
Federal Bureau of Prisons  
*Federal Medical Center*

P.O. Box 4600  
Rochester, MN 55903-4600

Date: October 3, 1990

To: Mr. Paul D. Brunton  
Attorney at Law  
1310 South Denver Ave.  
Tulsa, Oklahoma 74119

RE: Your Reference: Loren E. Hall Sr. No. 05256031  
Our Reference: Hall, Loren Eugene Sr. Reg. No. 05256-031

The Mayo Clinic has forwarded your request for medical information on the above named individual to our office for response.

The request to furnish information concerning the above named individual has been received and the following checked item is applicable:

☐ The above named former patient and all records were transferred to:

☒ We are forwarding your request to the Office of General Counsel, Bureau of Prisons, 320 First St. N.W., Room 912, Washington, D.C. 20534 for handling. Please address any future questions to their office.

☐ The records on this former patient have been sent to storage. We will answer your request as soon as the records have been acquired.

☐ We are unable to identify this individual. Please furnish additional information, such as date of birth, date of admission/and or date of discharge, alias or verified spelling of the name.

☐ Medical information is confidential by law and may be released only upon written consent of the patient or former patient. If you will forward a signed consent form authorizing the release, we will process your request.

☐ The information requested is enclosed. Its confidentiality must be protected.

Should you have any questions regarding your request please feel free to contact our office.

Medical Records Department

## memorandum

DATE: October 3, 1990

REPLY TO  
ATTN OF: Medical Records DepartmentFEDERAL MEDICAL CENTER  
ROCHESTER, MNSUBJECT: Request for Medical Information  
RE: Hall, Loran Eugene Sr. Reg. No. 05256-031TO: Office of General Counsel  
Central Office

Enclosed is a copy for release of medical information received at  
FMC Rochester.

As per Bureau policy, I am forwarding this request to you for  
handling.

If you have any questions, please contact us at FTS 787-1110,  
extension 472.



FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

OCT 15 1990

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.


No. 89-CR-83-01-E ✓

ORDER

The Court, having examined the reasons set forth by the Defendant for continuance, and the Plaintiff having no objections thereto, finds that said continuance should be granted for the reasons set forth by the Defendant; and that the ends of justice are served by granting the continuance; and that the ends of justice outweigh the best interest of the public in a speedy trial.

The jury trial, heretofore set for October 15, 1990 is stricken and reset for November 19, 1990 at 9:30 a.m. The period between October 15, 1990 and November 19, 1990 shall be considered excludable under the provisions of the Speedy Trial Act, Title 18, U.S.C. §3161(h) (8). Pre-trial is scheduled November 5, 1990 at 10:30 o'clock A.m.

ORDERED this 19<sup>th</sup> day of October, 1990.

  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE



U.S. Department of Justice

Federal Bureau of Prisons

*Federal Medical Center*

June 11, 1990

P.O. Box 4600

Rochester, MN 55903-4600

Honorable James O. Ellison  
United States District Judge  
Northern District of Oklahoma  
Tulsa, Oklahoma 74103

RE: HALL, Loren E.  
Reg. No.: 05256-031  
Docket No.: 89-Cr-83-E

Dear Judge Ellison:

Your Order dated May 31, 1990, committed Mr. Hall to the custody of the Attorney General for examination and evaluation pursuant to Title 18, United States Code, Sections 4241(b) and 4242. The provisions of these statutes permit commitment for 45 days to complete an evaluation and submit a written report to the Court.

Mr. Hall arrived at the Federal Medical Center on June 6, 1990. The Mental Health staff at the Federal Medical Center require 45 days of contact with a person to complete the testing and examinations necessary to develop a history, diagnosis and opinion. In consideration of the time required to complete a thorough evaluation, your Order has been interpreted so that the 45 day evaluation period commenced upon Mr. Hall's arrival at the Federal Medical Center. The report you ordered will be submitted to you by July 20, 1990. If your Order has been incorrectly interpreted we respectfully request that you advise us as soon as possible, so that we may formally request an extension if necessary.

Additionally, we must have all the information available regarding Mr. Hall. Please direct pre-trial services, defense counsel and the United States Attorney's office to forward all this information to us.

If you have any questions or concerns about his evaluation, please contact me at FTS 787-1500.

Sincerely,

Peter M. Carlson, Warden

cc: Mr. Jack Morgan, Assistant U. S. Attorney  
Northern District of Oklahoma

FILED

OCT 3 1990

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN E. HALL SR.

Defendant.


No. 89-CR-83-E ✓

ORDER APPOINTING A PSYCHIATRIST OR PSYCHOLOGIST  
FOR AN INDEPENDENT EVALUATION AND COMMITMENT TO  
A SUITABLE FACILITY

NOW, on this 4<sup>th</sup> day of Oct., 1990, this matter comes on before me, the undersigned Judge of the United States District Court for the Northern District of Oklahoma, upon application by counsel for the above-name defendant for the appointment of an independent psychiatrist or psychologist, Dr William Cooper, and commitment to a suitable facility for purposes of an independent evaluation.

The Court having read the application and notes that the United States Attorney's Office has no objection to said application finds that it should be granted.

THEREFORE it is ordered that an independent psychiatrist, Dr. William Cooper, or a psychologist be appointed for the purposes of an independent evaluation as to the defendant's competency to stand trial and his commitment to a suitable facility for thirty days for purposes of such evaluation.

  
JUDGE OF THE UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

47

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

OCT -2 1990

UNITED STATES OF AMERICA

Plaintiff,

vs.

LOREN E. HALL SR.

Defendant.

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

No. 89-CR-83-E ✓

**MOTION FOR CONTINUANCE**

**COMES NOW** the defendant by and through his attorney Paul D. Brunton and request this honorable court to continue the trial of Loren E. Hall Sr. for purposes of independent evaluation as to his competency to stand trial.

Counsel has requested medical records of his evaluation at the Federal Medical Center (FMC) Rochester, Minnesota, from approximately June 1, 1990 to September 1, 1990. Mr. Hall's medical records from his military mental and physical evaluations have also been ordered from the Veterans Administration Center in St. Louis. As of the date of this Motion none of these reports have been forwarded to the defendant's counsel ( see attached). Thus a proper evaluation can not be accomplished at this time.

A. U. S. A. Jack Morgan has no objection to the continuance of this matter.

THEREFORE counsel for the defendant request this honorable court to continue the defendant's trial of October 15, 1990 until such time as some medical records are received by the defendants counsel in an independent evaluation as to his competency to stand trial can be accomplished.



PAUL D. BRUNTON  
Attorney for Defendant  
LORAN E. HALL SR.  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119  
(918) 582-1993

CERTIFICATE OF MAILING

I hereby certify on this 21 day of Oct, 1990, that I mailed, postage prepaid, a copy of the above and foregoing Motion for Continuance to A. U. S. A. Jack Morgan, 333 West Fourth Street, Tulsa, Oklahoma 74103.

  
Paul D. Brunton

Paul D. Brunton  
Attorney at Law  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119  
(918) 582-1993  
(918) 582-1991 FAX

September 24, 1990

Dr. James W. Thrasher c/o  
Federal Medical Center  
P.O. Box 4600  
Rochester, Minnesota 55903460

Re: Loren E. Hall Sr.  
No. 05256-031


Dear Dr. Thrasher:

Please be advised that I represent Loren E. Hall Sr. on his Federal criminal charges pending in the District Court in the Northern District of Oklahoma in Tulsa, Oklahoma. We are requesting the Court order an independent evaluation be done as to his competence to stand trial.

I have requested his medical records from your facility but would appreciate a letter or a report from you personally as to the time period involving about three days when Mr. Hall had a reaction to a change in medication. Mr. Hall said you changed his medication and possibly there was a reaction with the new medication and his lithium. Please give us an explanation as to what transpired over this period of time so we can forward this on to our local doctor.

We would greatly appreciate your prompt response in this matter.

Sincerely,

  
Paul D. Brunton  
Attorney for Loren E. Hall

PDB: zs

C  
O  
P  
Y

Paul D. Brunton  
Attorney at Law  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119  
(918) 582-1993  
FAX (918) 582-1991

September 25, 1990

Federal Medical Center  
P.O. Box 4600  
Rochester, Minnesota 55903-4600

C ATTENTION: Medical Records

Re: Loren E. Hall Sr.  
No. 05256031


O To Whom It May Concern:

We represent Loren E. Hall Sr. in the criminal matters now pending against him in the District Court of the Northern District of Oklahoma in Tulsa, Oklahoma. Mr. Hall was sent to your facility for an evaluation as to his competence to stand trial.

P We are writing to request the medical records in your custody on Mr. Hall. Enclosed is a signed medical release by him. We are now requesting the court have an independent evaluation done here in the Tulsa area, as is allowed by law, and need these records for the local doctor.

Your prompt attention to this matter would greatly be appreciated.

Y Sincerely,

  
William E. Erickson For Paul D. Brunton  
Attorney for Loren E. Hall

WEE:zs

Enclosure

§

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN E. HALL SR.

Defendant.

FILED

No. 89-CR-83-E / OCT 1 1989

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

**APPLICATION FOR THE APPOINTMENT OF PSYCHIATRIC  
OR PSYCHOLOGICAL EXAMINATION TO DETERMINE  
COMPETENCY TO STAND TRIAL AND BRIEF IN SUPPORT**

**COMES NOW** the defendant by and through his counsel Paul D. Brunton to request this court to appoint an independent psychiatrist or psychologist for a second evaluation to determine his competency to stand trial and to commit said defendant for up to thirty days in a suitable facility for purposes of this evaluation.


Counsel for the defendant by and through his attorney Paul D. Brunton pursuant to 18 U.S.C. § 4247b request's this court to appoint an independent psychiatrist or psychologist to conduct an independent second evaluation as to the defendant Hall's mental competency to stand trial. The defendant pursuant to 18 U.S. C. § 4247b and 4241 states that commitment to a suitable facility for up to thirty days is allowed for such a evaluation. Mr. Hall was evaluated at a federal facility in Minnesota and determined to be competent to stand trial. Counsel now request that the independent evaluation be done by Dr. William Cooper, an Oklahoma licensed psychologist, to further determine his competency to stand trial.

ms

0-5



**THEREFORE** the defendant respectively request this court to appoint an independent psychiatrist or psychologist for an evaluation as to the defendants competency to stand trial and commit said defendant to suitable facility for such purpose.



---

PAUL D. BRUNTON  
Attorney for Defendant  
LORAN E. HALL SR.  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119  
(918) 582-1993

**CERTIFICATE OF MAILING**

I hereby certify on this 1<sup>st</sup> day of OCT, 1990, that I mailed, postage prepaid, a copy of the above and foregoing Application For The Appointment of Psychiatric Or Psychological Examination to Determine The Competency To Stand Trial And Brief In Support to A. U. S. A. Jack Morgan, 333 West Fourth Street, Tulsa, Oklahoma 74103.



---

Paul D. Brunton

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.

FILED

SEP 26 1990

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

No. 89-CR-83-E ✓

MAY 31 1990

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

90 MAY 31 4 01 PM

RECEIVED  
UNITED STATES MARSHAL

NORTHERN DISTRICT  
OF OKLAHOMA

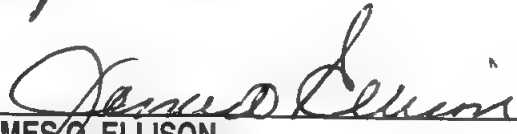
ORDER PURSUANT TO 18 U.S.C. §§ 4241 AND 4242

This matter came before the court on defendant Loran Eugene Hall, Sr. motion for a psychiatric or psychological examination to determine whether the defendant is presently mentally competent and whether defendant was sane at the time of the offense. After having considered the unopposed motion and being otherwise duly advised in the premises, the Court orders:

1. A federal medical center for prisoners shall be designated as a facility at which defendant Loran Eugene Hall, Sr. shall be examined psychiatrically or psychologically to determine whether he is presently suffering from a mental disease or defect rendering him incompetent:
  - A. To the extent that he is unable to understand the nature and consequences of the proceedings against him; or,
  - B. To assist properly in his defense.
2. In addition to the examination for the purposes described in paragraph 1 above, the defendant shall also be examined to determine whether under the test set out in 18 U.S.C. § 17, that he was insane at the time of the offense.
3. The United States Marshall Service shall transport the defendant to the appropriate facility for the examination.
4. After the completion of the examination, a written report shall be filed with the court pursuant to 18 U.S.C. § 4247(b) and made available to counsel for the parties.

5. Any periods or delay resulting from these proceedings are excludable under the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A).

Signed this 31<sup>st</sup> day of May, 1990.

  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

United States District Court )  
Northern District of Oklahoma ) SS

I hereby certify that the foregoing  
is a true copy of the original on file  
in this Court.

Jack C. Silver, Clerk

By   
Deputy

RCHD1 535\*08 \*  
PAGE 001 OF 001 \*

FEDERAL BUREAU OF PRISONS  
CMC CLEARANCE AND STATE DATA

\* 09-10-1990  
\* 09:09:16

REGISTER NO: 05256-031 NAME: Loren Hall SR on 6-5-90

REGISTER  
NUMBER LAST NAME

This order is partially as directed  
by delivery Loren Hall SR on 6-5-90  
to FCT El Reno from Tulsa Co  
For further removal to MCCP Rockwell  
NAME U.S. Marshall N/D/Oklahoma  
BY W.C. Fields (40) DUSM

ARS QTR  
TIME ASSIGN

05256-031 HALL

02 REMARKS: 6/4/90, CO/DMH, DESIG RCH-109 FOR THIS 4241/42 MENT COMP CASE

RA: William C. Silver Chief Clerk  
This order is partially executed as directed  
by delivery Loren Hall SR on 7-12-90  
to USM N/D/OK from FCT El Reno  
For further removal to U.S. Marshal, N/D/Oklahoma  
BY W.C. Silver DUSM

United States District Court )  
Northern District of Oklahoma ) SS

I hereby certify that the foregoing  
is a true copy of the original on file  
in this Court.

Jack C. Silver, Clerk

By W. C. Silver  
Deputy

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

AUG 15 1990 *PS*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN E. HALL, SR.

Defendant.


Jack C. Silver, Clerk  
U.S. DISTRICT COURT

Case No. 89-CR-83-E ✓

ORDER

NOW on this 15<sup>th</sup> day of August, 1990, comes on for consideration the above styled matter and the Court, being fully advised in all premises, finds that the Court has now received a forensic examination report from the facility to which Defendant had been set for testing. In light of such report, the Court hereby sets this case for competency hearing and pretrial conference on September 5, 1990 at 9:30 a.m.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this case is hereby set for competency hearing and pretrial conference on September 5, 1990 at 9:30 a.m. Jury trial is set on September 17, 1990, 9:30 a.m.

  
JUDGE JAMES O. ELLISON  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 31 1990

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.

No. 89-CR-83-E ✓

OBA #1256

OBA #8308

BRIEF IN SUPPORT OF UNOPPOSED MOTION FOR  
PSYCHIATRIC OR PSYCHOLOGICAL EXAMINATION

The defendant Loran Eugene Hall, Sr. has been indicted on a charge of conspiracy to violate the drug laws, has been arraigned, and is awaiting trial.

Counsel has been informed that the defendant has a long history of psychological and psychiatric problems. We are further advised that as recently as 1985, the VA Hospital in Kansas diagnosed the defendant to have various mental diseases and/or defects. After several interviews with the defendant, counsel believe the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him, or to assist properly in his defense.

In addition, find attached hereto marked EXHIBIT A an affidavit of R. K. Pernell, Deputy Sheriff and jailer, attesting to his opinion of the defendant's current mental status. Finally, Sheriff's deputies have advised counsel that the defendant is currently receiving lithium, dilantin, and phenobarbital.

Before further proceedings take place, counsel believe it would be appropriate to have the defendant examined pursuant to 18 U.S.C. §§ 4241 and 4242 to determine whether the defendant is mentally competent to understand the nature and consequences of the proceedings against him, or to assist properly in his defense, and to determine whether he was insane at the time of the offense.

Therefore, counsel for defendant request that such an examination be conducted and that a report be provided to the Court pursuant to 18 U.S.C. § 4247(b) and that a copy of the report be

made available to counsel for the parties. The requested examination can be performed at a federal medical center for prisoners.

The motion for psychiatric or psychological examination is not opposed by  
AUSA Jack Morgan, counsel for plaintiff.

Respectfully submitted,



PAUL D. BRUNTON OBA #1256  
ALLEN M. SMALLWOOD OBA #8308  
Court-Appointed Counsel for Defendant  
LORAN EUGENE HALL, SR.  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119  
(918) 582-1993  
(918) 582-1991 FAX

CERTIFICATE OF DELIVERY

I hereby certify that on this 31 day of May, 1990, a true and correct copy of the above and foregoing Brief in Support of Unopposed Motion for Psychiatric or Psychological Examination was delivered to the AUSA Jack Morgan, U.S. Attorney's Office, Federal Building, 333 West Fourth Street, Tulsa, Oklahoma 74103.



PAUL D. BRUNTON  
ALLEN M. SMALLWOOD

## PEACE OFFICER'S AFFIDAVIT FOR EMERGENCY DETENTION

I, the undersigned peace officer, being first duly sworn, declare:

That I am a member of law enforcement agency with the State of Oklahoma.

That on the 30<sup>TH</sup> day of MAY 19 90, I observed  
(name) HALL, LORAN E. at (location) TULSA COUNTY JAIL  
in TULSA County, Oklahoma, and that at 1400 HRS. o'clock, P. m.  
he she was taken into protective custody.

That the basis for taking this person into protective custody was \*

ON THE 30<sup>TH</sup> DAY OF MAY 1990 AT APPROX. 1400 HRS  
I WITNESSED MR. HALL, LORAN EUGENE SR. CRYING  
AND LOSING CONTROL. I HAVE KNOWN MR. HALL  
SINCE APRIL 17, 1990 AND AT THIS TIME, I  
FEEL THAT MR. HALL IS BECOMING A THREAT  
TO HIMSELF AND THAT MR. HALL SHOULD BE  
UNDER CLOSE OBSERVATION AND PROFESSIONAL CARE.

That upon such basis, I am of the opinion that this person is a person requiring treatment, to a degree that immediate emergency action is necessary, and should be held in emergency detention, as provided by The Mental Health Law of the State of Oklahoma.

Robert X. Pernel

Signature of Peace Officer

TULSA COUNTY SHERIFF'S DEPT.

Identity of Law Enforcement Agency

Subscribed and sworn to before me, this 31 day of May, 19 90.

My commission expires August 26, 1990

Lanna Cook  
Notary Public

\*Describe activity or incident personally observed by officer which formed the basis for the officer's opinion and action. If based on an affidavit of a third person, instead of personal observation, so state.



IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 31 1990

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.

No. 89-CR-83-E ✓

OBA #1256

OBA #8308

UNOPPOSED MOTION FOR PSYCHIATRIC  
OR PSYCHOLOGICAL EXAMINATION

The defendant Loran Eugene Hall, Sr.'s court-appointed counsel, Paul D. Brunton and Allen M. Smallwood, move the Court pursuant to 18 U.S.C. §§ 4241 and 4242 for an order directing that a psychiatric or psychological examination of Mr. Hall be performed to determine whether he is mentally competent to stand trial and whether he was insane at the time of the offense.

In accordance with Local Rule 15(F), a brief in support of this Motion is being submitted contemporaneously with the motion. A proposed order is included for the Court's convenience.

Respectfully submitted,



PAUL D. BRUNTON

OBA #1256

ALLEN M. SMALLWOOD

OBA #8308

Court-Appointed Counsel for Defendant

LORAN EUGENE HALL, SR.

1310 South Denver Avenue

Tulsa, Oklahoma 74119

(918) 582-1993

(918) 582-1991 FAX

CERTIFICATE OF DELIVERY

I hereby certify that on this 31 day of May, 1990, a true and correct copy of the above and foregoing Unopposed Motion for Psychiatric or Psychological Examination was delivered to the AUSA Jack Morgan, U.S. Attorney's Office, Federal Building, 333 West Fourth Street, Tulsa, Oklahoma 74103.

A handwritten signature in dark ink, appearing to read "Paul D. Brunton", written over a horizontal line.

PAUL D. BRUNTON  
ALLEN M. SMALLWOOD

**FEDERAL PUBLIC DEFENDER**  
WESTERN, NORTHERN AND EASTERN DISTRICTS OF OKLAHOMA

DAVID BOOTH  
FEDERAL PUBLIC DEFENDER

SUSAN OTTO  
SUPERVISORY ASSISTANT  
FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT ✓  
SUITE 524, 215 DEAN A. MCGEE  
OKLAHOMA CITY, OKLAHOMA 73102  
(405) 231-5725 FTS 736-5725

NORTHERN AND EASTERN DISTRICTS  
222 SOUTH HOUSTON, SUITE C  
TULSA, OKLAHOMA 74127  
(918) 581-7656 FTS 745-7656

June 1, 1990

Honorable James O. Ellison  
United States District Judge  
for the Northern District of Oklahoma  
Attn: Ms. Rosanne Miller  
411 United States Courthouse  
333 West 4th Street  
Tulsa, Oklahoma 74103

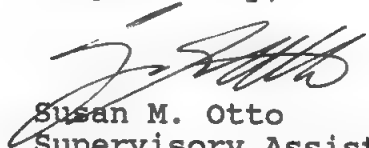
Re: United States of America v. Ladd, David  
Case No. 89-CR-83-E  
CJA Voucher No. 0154895

Dear Judge Ellison:

Mr. John E. Dowdell, attorney at law, was appointed to represent David Ladd in the above referenced cause.

Mr. Dowdell informed me he has completed his services in this matter. He submitted his CJA-20 to me in order that I might review it for its technical and mathematical accuracy. I have reviewed the voucher and it appears to be in good order. Therefore, I am sending the voucher to you for your consideration.

Respectfully,

  
Susan M. Otto  
Supervisory Assistant  
Federal Public Defender

SMO:jtt

Enclosure: CJA-20 Voucher and supporting documents

cc: Mr. John E. Dowdell

Captain Cherry,

RECEIVED

22 August 89

AUG 28 1989

Dear Sir,

JACK C. SILVER, CLERK  
U. S. DISTRICT COURT

I would like the copy marked  
"Court's Copy" returned by airmail  
and delivered to the Federal District  
Attorney Jack Morgan. I have the duplicate  
enclosed and am attaching it back.

Respectfully,

John Eugene Hall  
S-9

Subscribed & sworn to before me this  
25<sup>th</sup> of Aug. 1989

De. [Signature]  
John Hall

My Commission Expires  
11-18-91

UNITED STATES District Court for the  
Northern District of Oklahoma FILED

AUG 23 1989

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES of AMERICA,  
Plaintiff,

VS.

No. 89-CR-83-06-E

Loren Eugene Hall Jr.,  
ET AL.,

Defendants

Motion for Change of Conditions of Release

The defendant Loren Eugene Hall Jr.  
without Counsel, moves the court for an order  
changing his conditions of Release.

Defendant has been unable to meet  
the conditions previously set and remains in custody  
at the Tulsa County Jail

A brief in support of this motion is  
being filed simultaneously with the motion.

A proposed order setting this matter  
for hearing is being included for the  
court's convenience.

(Continued)

Respectfully Submitted,

Loren Eugene Hall Jr.  
Loren Eugene Hall Jr.  
Client of Federal Public  
Defender, Jim H. Heslet  
Attorney at Law  
5561 S. Lewis, Suite 200  
Tulsa, Oklahoma 74105  
(918) 747-1058

Certificate of Service

I hereby certify that on this  
The 25<sup>th</sup> day of August, 1989, I caused  
a true and correct copy of this brief  
in support of motion for change of  
conditions of release to be hand  
delivered to the office of Mr. Jack Morgan,  
United States Attorney, Counsel for Plaintiff.

Loren Eugene Hall Jr.  
Loren Eugene Hall Jr.  
Loren Eugene Hall Jr.

Subscribed + sworn to before me  
this 25 of Aug. 1989

My Commission Expires  
11-18-90

Notary Public

UNITED STATES DISTRICT COURT for the  
NORTHERN DISTRICT of OKLAHOMA

UNITED STATES of  
AMERICA,  
Plaintiff.

VS.

Loren Eugene Hall Jr.  
ET AL.,  
Defendants

No. 89-CR-83-06-E

Brief in Support of Motion for Change in Conditions  
of Release

The defendant, Loren Eugene Hall Jr., without  
counsel, has moved for an order changing his conditions  
of release. Pursuant Local Rule 15 (A), this brief  
is being submitted in support of that motion.

1) Defendant has previously been determined  
by this court to be indigent and entitled to the  
appointment of counsel under the Criminal Justice  
Act, 18 U.S.C. § 3006A;

2) Conditions of release have previously been  
set by this court. One of the conditions requires  
that defendant post a \$25,000.00 Corporate Surety Bond;

(Continued)

3) Defendant is financially unable to post the previously referenced Corporate Surety Bond and remains in the custody of the United States Marshal Service at the Tulsa County Jail;

4) Defendant submits that contrary to 18 U.S.C. § 3142 (c) (2), the judicial officer has imposed a financial condition that has resulted in pretrial detention of defendant; and,

5) Defendant submits that pursuant to 18 U.S.C. § 3142 (c) (1) non-financial conditions can be imposed that will reasonably assure the appearance of defendant as required.

Danger to the safety of any other person or the community is not at issue.

Based on the preceding, the defendant respectfully requests that a hearing be scheduled for the reconsideration of Defendant's condition of release.

(continued)



Respectfully Submitted,

~~Loren Eugene Hall Jr.~~  
~~Loren Eugene Hall Jr.~~  
Loren Eugene Hall Jr.

Client of Federal Public  
Defender Jim H. Heslet  
Attorney at Law

5561 S. Lewis, Suite 200  
Tulsa, Oklahoma 74105  
(918) 747-1058

Certificate of Service

I hereby certify that on this  
The 25<sup>th</sup> day of August, 1989, I caused  
a True and correct copy of this Motion  
for Change of Conditions of Release to  
be Hand delivered to the office of  
Mr. Jack Morgan, Assistant United  
States Attorney, Counsel for Plaintiff

~~Loren Eugene Hall Jr.~~  
~~Loren Eugene Hall Jr.~~  
Loren Eugene Hall Jr.

Subscribed and sworn to before me this 25<sup>th</sup> day of Aug., 1989  
My Comm. Expires 11-18-90

~~Notary Public~~  
Notary Public

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

**F I L E D**

**MAY 11 1990** *JS*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.

No. 89-CR-83-E ✓

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

ORDER PURSUANT TO 18 U.S.C. §§ 4241 AND 4242

This matter came before the court on defendant Loran Eugene Hall, Sr.'s motion for a psychiatric or psychological examination to determine whether the defendant is presently mentally competent and whether defendant was sane at the time of the offense. After having considered the unopposed motion and being otherwise duly advised in the premises, the Court orders:

1. A federal medical center for prisoners shall be designated as a facility at which defendant Loran Eugene Hall, Sr. shall be examined psychiatrically or psychologically to determine whether he is presently suffering from a mental disease or defect rendering him incompetent:

A. To the extent that he is unable to understand the nature and consequences of the proceedings against him; or,

B. To assist properly in his defense.

2. In addition to the examination for the purposes described in paragraph 1 above, the defendant shall also be examined to determine whether under the test set out in 18 U.S.C. § 17, that he was insane at the time of the offense.

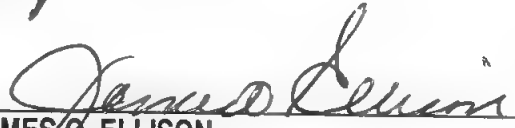
3. The United States Marshall Service shall transport the defendant to the appropriate facility for the examination.

4. After the completion of the examination, a written report shall be filed with the court pursuant to 18 U.S.C. § 4247(b) and made available to counsel for the parties.

*21*

5. Any periods or delay resulting from these proceedings are excludable under the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A).

Signed this 31<sup>st</sup> day of May, 1990.

  
\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

W  
UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 30 1990

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

No. 89-CR-83-01-E /

GOVERNMENT'S RESPONSE TO THE MULTIPLE  
PRETRIAL MOTIONS OF THE ABOVE DEFENDANT

COMES NOW the government, and for its response to the multiple pretrial motions of the above defendant, alleges and states:

I.

MOTION IN LIMINE

Co-conspiratorial hearsay evidence in this case will be necessary under Rules of Evidence No. 801(d)(2)(E).

The plaintiff is well aware of, and will comply with its burden in this circuit, under United States v. Andrews, 585 F.2d 961 (10th Cir. 1978), and United States v. Petersen, 611 F. 2d 1313 (10th Cir.), cert. denied, 447 U.S. 905 (1979).

The above basic legal tenets in the tenth circuit govern the admissibility of co-conspirator statement evidence and the court must rule on admissibility after evaluating the evidentiary foundation upon which the statements are offered.

Excellent recent discussions of these principles are set forth in Tenth Circuit opinions in United States v. Hernandez, 829 F.2d 988 (10th Cir. 1987); United States v. Martinez, 825 1451 (10th Cir. 1987); and United States v. McMurry, 818 F.2d 24 (10th Cir. 1987).

In McMurry, the 10th Circuit stated:

Petersen does not require a trial judge to hold a preliminary hearing on the admissibility of a co-conspirator's statement because "a trial court has no obligation to determine the admissibility of possible hearsay at the pretrial stage". United States v. Monaco, 700 F.2d 577, (10th Cir.).

Hernandez and Martinez contain detailed discussions of the latest Supreme Court decision in United States v. Bourjaily, 107 S.Ct. 2775, 2779 (1987), holding that "a court, in making a preliminary factual determination under Rule 801(d)(2)(E), may examine the hearsay statements sought to be admitted", as well as the independent evidence presented.

It is suggested that direct evidence of the conspiracy can be presented at time of trial which will meet the qualifications of Andrews/Petersen, supra.

## II.

### MOTION TO COMPEL PRODUCTION OF GUIDELINE SENTENCING INFORMATION

The defendant specifically requests the court to order the government to disclose to the defendant the following information; (1) the guideline the government contends is

applicable to this case; (2) any aggravating offense characteristics the government contends are applicable to this case; (3) any aggravating adjustments the government contends are applicable to this case; and (4) the grounds, if any, that the government might argue to justify an upward departure in this case. The defendant argues that this information is necessary to ensure the voluntariness of a guilty plea and the effective assistance of counsel. With early disclosure of the relevant sentencing information the government may have, the defendant contends, a court cannot satisfy itself of the defendant's awareness of his likely exposure to punishment and counsel cannot fulfill his obligation to help the client to meaningfully assess the advantages of pleading guilty.

The purpose of Rule 11 of the Rules of Criminal Procedure is to ensure the defendant is aware of the consequences of his plea. See McCarthy v. United States, 394 U.S. 459, 464, 89 S.Ct. 1166, 1170, 22 L.Ed.2d 418 (1969). Rule 11 requires that "the district court must, before accepting the plea, inform the defendant of 'the mandatory minimum penalty provided by law, if any, and the maximum penalty provided by law.'" United States v. Fernandez, 877 F.2d 1138, 1142-43 (2d Cir. 1989). Though it might be desirable if a defendant were fully aware of his likely sentence under the Sentencing Guidelines at the time he enters a plea, there is no such requirement in Rule 11 or the Sentencing Guidelines. See Fernandez, 877 F.2d at 1143. Under the Sentencing Guidelines,

"although various factors will increase or enhance the range of a particular defendant's sentence, the maximum sentence will never exceed the maximum provided by statute" and the minimum sentence will be imposed even if a defendant falls into a lower sentencing range under the Guidelines. United States v. Turner, 881 F.2d 684, (9th Cir. 1989), cert. denied, 58 U.S.L.W. 3218 (U.S. Oct. 2, 1989) (No. 89-5451); see also Sentencing Guidelines, 5G1.1 Commentary. Therefore, the requirements of Rule 11 are met if a defendant is informed of the maximum and minimum sentence for the offense with which he is charged.

A defendant is not entitled to withdraw his guilty plea based on ineffective assistance of counsel because his attorney erroneously estimated his sentence. Little v. Allsbrook, 731 F.2d 238 (4th Cir. 1984). The Sentencing Guidelines do not avoid the effect of precedent on this issue. See United States v. Sweeney, 878 F.2d 68, 70 (2d Cir. 1989). Before the Guidelines, there was a minimum and maximum sentence allowable under the statute and it was within the judge's discretion to impose sentence within the allowable range. Under the Guidelines, there still exists a minimum and maximum sentence although in accordance with the Guidelines. "The Sentencing Guidelines should make it easier for defense counsel to advise a defendant regarding the probable sentencing range with greater accuracy because the various factors that will effect the computation of the offense level and criminal history category are spelled out." Turner, 881 F.2d at 687.

Therefore, defense counsel is in no greater need of information concerning the government's theories or arguments with regard to sentencing that he was before the Sentencing Guidelines. See Sweeney, 878 F.2d at 70.

III.

MOTION TO INSPECT EVIDENCE FAVORABLE OR  
EXCULPATORY TO THE DEFENDANT

The government declines to speculate on what evidence may or may not be considered "favorable" to the accused. As hereinafter noted the government will be aware of its' obligation under Brady v. Maryland, ante, on an ongoing basis. United States v. Jackson, 579 F.2d 553 (10th Cir.), cert. denied, 439 U.S. 981 (1978).

IV.

MOTION TO DISCLOSE INDUCEMENTS, PROMISES, AND  
PAYMENTS TO PROSPECTIVE WITNESS

Pursuant to Brady v. Maryland, 373 U.S. 83 (1963), and progeny, the government will provide in ample time for utilization at trial, notice to all defense counsel of any and all promises, rewards, inducements, made to any government witness (if any), offers or grants of immunity (if any), arrest and conviction records of government witnesses (if any), and any other relevant material information bearing on the witnesses' potential bias or interest in the outcome of the case and/or his or her own motive for cooperating with the government.



V.

MOTION FOR PRESENTATION OF AGENTS NOTES

The agents have previously been instructed to preserve their notes as a routine procedure in all cases. Campbell v. United States, 365 U.S. 85, 102 (1961).

VI.

MOTION REQUIRING GOVERNMENT TO ADMIT OR DENY THE  
EXISTENCE OF OTHER INVESTIGATIONS AND  
POTENTIAL INDICTMENTS

The government declines to speculate as to what legal or factual basis entitles this motion to meritorious consideration. In the absence of such, defendant's motion is obviously an attempt to gain information, if any, about matters which are not relevant to the decision in Petite v. United States, 361 U.S. 529, 80 S.Ct. 450, 4 L.Ed.2d 490 (1960) or the guidelines of the United States Attorney's Manual, Title 9, Section 2.142. See United States v. Thompson, 579 F.2d 1184 (10th Cir. 1978) and United States v. Fritz, 580 F.2d 370 (10th Cir. 1978).

VII.

MOTION FOR SPECIAL PRODUCTION OF STATEMENTS  
OF INDIVIDUALS NOT TO BE CALLED AS WITNESSES

The defense counsel has been furnished complete access to the entire government file and a copying machine to reproduce anything so desired. This should suffice.

VIII.

MOTION IN LIMINE REGARDING  
USE OF AFTER FORMER CONVICTIONS

The defendant refers to a defendant Lawrence. There is no one by that name in this case. If he is referring to defendant Thimmesch a/k/a Lasley, the government will only use such convictions when approved by the court as non-prejudicial to the detriment of a fair trial.

IX.

MOTION TO EXCLUDE EVIDENCE OFFERED BY THE  
PROSECUTION PURSUANT TO F.R.E. 404(b)

At this time the government does not know of any Rule 404(b) F.R.E., material as defined by United States v. Record, 873 F.2d 1363 (10th Cir. 1989). Should such become available and its use intended, a notice of such will be filed in the case.

X.

MOTION FOR WITNESS LIST

The government declines to produce a pretrial list of its witnesses. The names and addresses of potential government witnesses are not discoverable before trial, except in treason or capital offense cases. 18 U.S.C. §3432; United States v. Baca, 494 F.2d 424, 427 (10th Cir. 1974); United States v. Seasholtz, 435 F.2d 4 (10th Cir. 1970); Nipp v. United States, 422 F.2d 509 (10th Cir. 1969); cert. denied, 397 U.S. 1008; United States v. Gleeson, 411 F.2d 1091 (10th Cir. 1969); Edmondson v. United States, 402 F.2d 809 (10th Cir. 1969).

XI.

MOTION TO FILE ADDITIONAL  
MOTIONS OUT OF TIME

The government objects to any unlimited right the defendant seeks to file pretrial motions at any time, unless such is specifically covered by the Federal Rules of Criminal Procedure. United States v. Jensen, 608 F.2d 1349, 1357 (10th Cir. 1979).

XII.

MOTION TO PRECLUDE PROSECUTION FROM CONFERRING

The decision, as cited by defense, of Perry v. Leeke, 102 L.Ed2d 624 (1988), does not apply to the prosecution and only stated the accused has no right to confer with his counsel during a recess in his trial testimony. The decision cannot possibly be construed to be as far-reaching as the defense counsel contends and should therefore be denied.

XIII.

MOTION TO SUPPRESS

The government denies that this defendant has any standing to raise the issue of suppression through a proprietary interest which would so entitle his motion consideration.

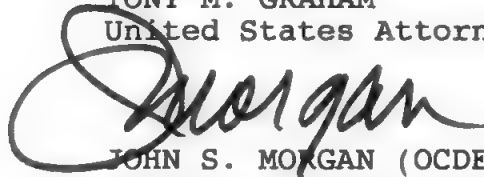
XIV.

MOTION TO ADOPT ALL MOTIONS PREVIOUSLY FILED

The prosecution adopts all responses previously filed to all motions previously filed.

Respectfully Submitted,

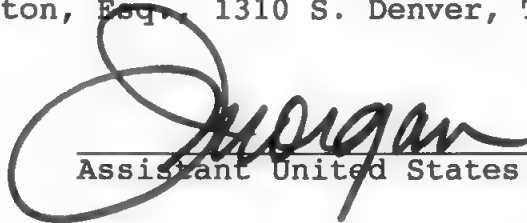
TONY M. GRAHAM  
United States Attorney



JOHN S. MORGAN (OCDEF)  
Assistant United States Attorney  
3600 U. S. Courthouse  
333 West Fourth Street  
Tulsa, Oklahoma 74103  
918/581-7463

CERTIFICATE OF SERVICE

This is to certify that on the 30 day of May, 1990, a true and correct copy of the foregoing was mailed postage prepaid thereon, to: Paul D. Brunton, Esq., 1310 S. Denver, Tulsa 74119.



Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 24 1990 *dt*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

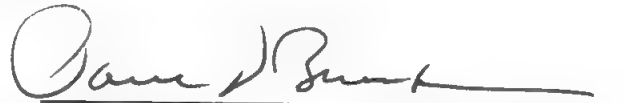
Criminal No. 89-CR-83-01-E /

OBA #1256

WAIVER OF SPEEDY TRIAL

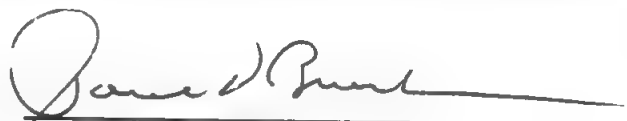
COMES NOW on this 23 day of May, 1990, LORAN EUGENE HALL, SR.,  
Defendant in the above-captioned case, and hereby files this waiver of speedy trial pursuant to 18 U.S.C.  
§ 3161 (h) (8) (A).

  
LORAN EUGENE HALL, SR.

  
Paul D. Brunton  
Attorney for Defendant  
LORAN EUGENE HALL, SR.  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119  
(918) 582-1993  
OBA NO. 1256

CERTIFICATE OF DELIVERY

I hereby certify that on this 24 day of May, 1990, a true and correct copy of the  
above and foregoing Waiver of Speedy Trial, was delivered to the United State's Attorney's office, 3600  
U.S. Courthouse, Tulsa, Oklahoma, 74103.

  
PAUL D. BRUNTON

MAY 23 1990 *W*

## United States District Court

NORTHERN

District of

OKLAHOMA

Jack C. Silver, Clerk  
U.S. DISTRICT COURTUNITED STATES OF AMERICA  
V.JUDGMENT INCLUDING SENTENCE  
UNDER THE SENTENCING REFORM ACT

David Royse Ladd

Case Number 89-CR-083-05-E

(Name of Defendant)

John E. Dowdell

Defendant's Attorney

## THE DEFENDANT:

- ☒ pleaded guilty to count(s) One of the Indictment
- ☐ was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Count Number(s)
21 USC 846, 841(a)(1)	Conspiracy to Manufacture With Intent to Distribute Methamphetamine	1

The defendant is sentenced as provided in pages 2 through 3 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) \_\_\_\_\_, and is discharged as to such count(s).
- ☐ Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.
- ☐ The mandatory special assessment is included in the portion of this Judgment that imposes a fine.
- ☒ It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:

279-68-5742

Defendant's mailing address:

2100 Harrisburg Road


Canton, Ohio 44705-2132

Defendant's residence address:

Same

May 15, 1990

Date of Imposition of Sentence



Signature of Judicial Officer

James O. Ellison, United States District Judge

Name &amp; Title of Judicial Officer

May 15, 1990

Date

Defendant: **David Royse Ladd**  
Case Number: **89-CR-083-05-E**

**PROBATION**

The defendant is hereby placed on probation for a term of **Five (5) Years** .

While on probation, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this Judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

**That the defendant participate in a program for the treatment of substance abuse at the discretion of the U. S. Probation Office.**

Defendant: **David Royse Ladd**  
Case Number: **89-CR-083-05-E**

### **STANDARD CONDITIONS OF SUPERVISION**

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
  - 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
  - 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
  - 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
  - 5) the defendant shall support his or her dependents and meet other family responsibilities;
  - 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
  - 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
  - 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
  - 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
  - 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
  - 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
  - 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
  - 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
  - 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
  - 15) **You shall submit to urinalysis as directed by the U. S. Probation Office.**
- These conditions are in addition to any other conditions imposed by this Judgment.
- 16) **You shall not possess a firearm or other dangerous weapon without the permission of the U. S. Probation Office.**



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 21 1991

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.

Criminal No. 89-CR-83-01-E ✓

OBA #1256

COMBINED PRETRIAL MOTIONS AND  
BRIEFS IN SUPPORT ON BEHALF  
OF DEFENDANT LORAN EUGENE HALL, SR.

MOTION IN LIMINE

COMES NOW the defendant Hall, Sr. by and through undersigned counsel, and respectfully requests this Court for an order *in limine* precluding the Government, its representatives and agents from asking questions or eliciting testimony during the jury trial of this case relative to matters which are hearsay declarations of co-conspirators, be they indicted or unindicted, until the Government has established by independent evidence that there was indeed a conspiracy as alleged in the indictment and also that the defendants have knowingly and voluntarily become members of said conspiracy. See *United States v. Petersen*, 611 F.2d 1313 (10th Cir. 1979); *United States v. McMurry*, 818 F.2d 24 (10th Cir. 1987); and *United States v. Bourjaily*, 107 S. Ct. 2775 (1987).

MOTION TO COMPEL PRODUCTION OF  
GUIDELINE SENTENCING INFORMATION  
AND MEMORANDUM BRIEF IN SUPPORT

The defendant Hall, Sr. by undersigned counsel pursuant to FED. R. CRIM.  
P. 8, 11, 14, and 16 and the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution,  
hereby moves this Court to compel the production of Guideline sentencing material.

The defendant requests that the Court order the Government to disclose prior to trial the following Guideline sentencing information:

1. The defense Guideline or Guidelines the Government presently represents as applicable to the charges against defendant Hall;
2. Any aggravating specific offense characteristics the Government presently believes should be applicable to the charges against defendant Hall;
3. Any Chapter Three "adjustments" regarding victim, role, obstruction, or acceptance or responsibility which the Government presently believes are applicable to the case;
4. Whether Government intends to take the position that the "career offender" provisions of 4B1.1 or "criminal livelihood" provisions of 4B1.3 apply to defendant Hall in this case;
5. Defendant Hall's prior criminal record, if any, including all judgments of conviction, sentences imposed thereon, all release dates from all committed sentences, and expiration dates of all terms of probation and parole;<sup>1</sup>
6. The grounds, if any, upon which the Government will argue for an upward departure from the applicable Guideline range, including, but not limited to, any argument regarding the adequacy of the criminal history category as determined in 4A1.3; and
7. The existence of any facts, information or other evidence that could give rise to an argument for a downward departure from the applicable Guideline range, including, but not limited to, the provisions of 4A1.3, 5H, and 5K.

Early disclosure of Guideline sentencing information is essential to secure the defendant's right to effective assistance of counsel under the Sixth Amendment. Defense counsel cannot provide effective assistance ignorant of existing and readily accessible information that materially affects assessment of the options available to a client and the likely consequences that would flow from each option. Frequently, the most critical defense advice concerns the client's option to plead guilty or stand trial. In *Brady v. United States*, 397 U.S. 742, 750 n. 6 (1970), the Supreme Court unanimously concurred

---

<sup>1</sup>This information is either in the possession of the prosecutor or the federal agencies assisting in the investigation of this case. As such, it is produced under Rule 16. *United States v. Brian*, No. 87-3059 (9th Cir. January 18, 1989).

that "an intelligent assessment of the relative advantages of pleading guilty is frequently impossible without the assistance of an attorney". Necessarily, the value of the assistance of counsel is directly related to whether counsel possesses the means necessary to inform the defendant of the penalty likely to be imposed in the event of a guilty plea.

The Sentencing Guidelines do not create or mandate counsel's Sixth Amendment duty to apprise the defendant of the likely range of punishments for such obligation has been present for some time. In fact, where it has been executed improperly, courts have not been reluctant to castigate the lawyer. *See laea v. Sunn*, 800 F.2d 861, 865 (9th Cir. 1986) (attorney's gross mischaracterization of range of sentences constitutes deficient representation); *United States v. Rumery*, 698 F.2d 764, 766 (5th Cir. 1983) (counsel's overestimate of defendant's exposure constitutes deficient representation); *United States v. Byrd*, 669 F. Supp. 861, 866 (N.D. Ill. 1987) (counsel's inaccurate sentencing predictions held "objectively unreasonable" under *Strickland* test); *cf. Hill v. Lockhart*, 474 U.S. 52 (1985) (attorney's failure to inform client of relevant sentencing information can constitute ineffective assistance) (White, J., concurring).

The Sentencing Guidelines do change the nature of counsel's obligation. The guidelines are mandatory in nature, 18 U.S.C. §3553(b), and "bind judges and courts in the exercise of their uncontested responsibility to pass sentence in criminal cases." *Mistretta v. United States*, 109 S.Ct. 647, 664 (1989). Indeed the guidelines "have the force and effect of laws, prescribing the sentences criminal defendants are to receive." *Id.* at 676 (Scalia, J., dissenting). The new procedures of the Sentencing Reform Act and the Sentencing Guidelines change almost a century of indeterminate sentencing. The guidelines severely restrict the availability of probation and in fact require the imposition of minimum terms of imprisonment unless the court finds the existence of mitigating circumstances, "of a kind, or to a degree" not adequately considered by the Commission in determining the guidelines. A decision to depart from the applicable guideline range is subject to appellate review. No longer does knowledge of an experience with a particular judge's sentencing patterns or particular prosecution policies supply counsel with the tools necessary to advise a client intelligently on the sentencing advantages of pleading guilty. Familiarity with the Guidelines manual does not provide the crucial information counsel needs, for much of

the application procedures is guesswork, absent information in the possession of the government.

In this context, the Government's position on the offense level, applicable adjustments and criminal history category is critical to determining the pros and cons of entering a guilty plea. Counsel recognizes that such may be true regardless of whether the defendant pleads guilty or elects a trial, but it does not extinguish counsel's Sixth amendment obligation to express an informed view on the appropriate course of action.

The Government loses nothing and gains everything by producing its information and position on the applicable guideline range and appropriate departures. Without knowledge of aggravating offense specific offense characteristics, wary defense lawyers may advise their clients to go to trial simply because they fear the guidelines and are unable to give pre-trial advice on the likely range of sentences. Early disclosure of information regarding aggravating guideline factors could result in informal resolution during plea negotiations or a limited hearing to resolve the dispute, thus avoiding the need for trial.

Early production of guideline factors serves the administration of justice. Defense counsel will receive the information necessary to fulfill their advisory function, defendants will understand the consequences of pleading guilty, prosecutors will receive early plea agreements, and courts will avoid the expense and time of trials that otherwise would not occur but for the defendant's inability to gauge their likely sentences.

Without early disclosure of relevant sentencing information, counsel cannot supply the advice the Sixth amendment requires. No overpowering competing interest exists that could possibly warrant denial of pre-trial or pre-plea disclosure of guideline sentencing information.

Without Guideline sentencing information, neither the defendant nor counsel can assess the value of plea negotiations or commitments made by prosecutors during plea negotiations. For example, an offer to dismiss counts may be of no benefit if the Government failed to disclose its position that dismissed counts involved the same course of conduct or common scheme and plan as the count to which the defendant agreed to plea guilty. Dismissal of counts may be of little relevance to the amount of fine and/or restitution a defendant could be ordered to pay. Without disclosure of sentencing

information, the mutuality of advantage and relatively equal bargaining power the Supreme Court attributes to the plea process, *Bordenkircher v. Hayes*, 434 U.S. 357, 363 (1978), will disappear.

Early disclosure of Guideline sentencing information will ensure that a defendant who elects to plead guilty does so with full appreciation of the likely consequences of his plea that both due process and Rule 11(c)(2) require. *See generally Brady v. United States*, 397 U.S. 742, 749 n.6 (1969). The Supreme Court has consistently held that the trial court must satisfy itself the defendant understands "the permissible range of sentences" to which he or she is subject by virtue of a guilty plea. *See, e.g., Boykin v. Alabama*, 395 U.S. 238, 244 n.7 (1969). The complexity of the Guidelines system and numerous variables that may affect a particular sentence preclude trial courts from satisfying this obligation simply by relating to the defendant that he or she is "subject to the guidelines." As discussed *supra*, the Guidelines require the imposition of minimum sentences not required by the various criminal statutes. Probation without custody is available in only 21 of the 258 possible sentencing ranges established by the guidelines, yet it is statutorily available in the majority of federal crimes. *See* 18 U.S.C. §3559(a), as amended November 18, 1988. The Guidelines also require minimum fines (in the absence of inability to pay) based upon the offense level. Only in those instances where a court finds a mitigating circumstance "of a kind or to a degree" not adequately considered by the Sentencing Commission in determining the guidelines can the court depart below the applicable range. Congress so limited the availability of departures that minimum sentences not otherwise statutorily required are a reality.

To satisfy Rule 11 obligations trial courts must now inquire of the defendant and/or counsel whether the defendant has been apprised of the likely range of sentences applicable to the case, including the likely minimum term required by the range and the possibility the court may depart from the range.<sup>2</sup> A guilty plea "cannot be truly voluntary unless the defendant possesses an understanding of the law in relation to the facts." *McCarthy v. United States*, 394 U.S. 459, 467 (1969). Because of the

---

<sup>2</sup> Voluntariness challenges to erroneous calculation of the sentencing range must be resolved on a case-by-case basis, taking into account the magnitude of the error, the facts underlying its making, the timeliness of its assertion and the significance of the error in the decision to plead guilty. *See generally Hill v. Lockhart*, 474 U.S. 52 (1985). Early production of Guideline information, the ability to resolve disputes either informally or formally before the plea and a full discussion with the defendant at the plea will significantly decrease the likelihood of such challenges.

mandatory and binding nature of the Sentencing Guidelines, due process, and Rule 11(c)(2) require the Government to disclose information concerning how the defendant's sentence will ultimately be calculated. It follows that such disclosure is necessary before the Court can satisfy itself of the defendant's awareness of the penalties and of the voluntariness of the guilty plea. *See, e.g., United States v. Bethancurt*, 692 F. Supp. 1427 (D.D.C. 1988).

*Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny require the Government to disclose all favorable evidence as material either to "guilt or punishment". *Id.* at 87 (emphasis added) Guideline Sentencing information often will include favorable factors that mitigate the defendant's exposure to prison. These factors include, but are not limited to the following:

- A. Whether the defendant has accepted responsibility for his offense;
- B. Whether the counts of a multi-count indictment should be "grouped";
- C. Whether the defendant has provided "substantial assistance" to the authorities;
- D. Whether the defendant was a minor or minimal participant in the offense activity;
- E. Whether the defendant acted under duress or coercion not rising to a complete defense.

All *Brady* material relevant to Guideline sentencing factors is requested.

For the foregoing reasons, the defendant respectfully requests that the Court compel the production of discovery, including Guideline sentencing information.<sup>3</sup>

**MOTION TO INSPECT EVIDENCE  
FAVORABLE TO THE DEFENDANT**

---

<sup>3</sup>The essential contents of this Motion was prepared by Hunt Charach, Assistant Federal Public Defender, Southern District of West Virginia.

COMES NOW the defendant by and through undersigned counsel, and pursuant to *Brady v. Maryland*, 83 S.Ct. 1194 (1963), moves to require the disclosure of evidence by the prosecution favorable to the accused whether said evidence is material either to guilt or punishment. See also Motion to Compel Production of Guideline Sentencing Information.

**MOTION TO DISCLOSE INDUCEMENTS,  
PROMISES, AND PAYMENTS TO PROSPECTIVE WITNESSES**

COMES NOW the defendant Hall by and through counsel, and moves this Court to order the Government to disclose to the defendant which co-defendants, or any other person, has been permitted, received, or benefited in any way from any immunity or favor granted or to be granted by the United States, its prosecutors, agencies, or agents, and to further state and describe the substance of said immunity and favor, for example, refusal to prosecute, limited prosecution, releases on bail, release on bail without security, recommendations to courts for lesser punishment, rewards of any kind including financial, maintenance, protection, payments to wives, sweethearts, or families, or for their maintenance, or any other rewards of any nature. See *Brady v. Maryland*, 373 U.S. 83 (1963).

**MOTION FOR PRESERVATION OF AGENTS' NOTES**

COMES NOW the defendant, and moves for an order, pursuant to the Fifth and Sixth Amendments to the United States Constitution, 18 U.S.C.S. §3500, and FED. R.CRIM. P. 16, directing the Government agents, police officers, and any Government informants involved in this case to retain all typed and handwritten notes or memoranda made in relation to this case.

In *United States v. Lane*, 574 F.2d 1019 (10th Cir. 1978), the Court held that agents should preserve notes taken contemporaneously with an interrogation and that any deviation from the notes appearing in the office report of the statement may furnish an aid to the accused. *Id.*, at 1022. In addition, see *United States v. Harris*, 543 F.2d 1247 (9th Cir. 1976), wherein the Court held that notes taken by an F.B.I. agent during an interview are discoverable and that they must be preserved. Finally, see *United States v. Bryant*, 439 F.2d 642 (D.C. Cir. 1971), wherein the Court imposed upon the Government an obligation to follow rigorous and systematic procedures to preserve all discoverable

evidence. *Id.*, at 652.

In addition to the above requirements and cited authorities, *United States v. Bufalino*, 576 F.2d 446 (2d Cir. 1978), requires the retention of rough drafts and notes or written reports made during the course of an investigation.

DEFENDANTS' MOTION REQUIRING GOVERNMENT  
TO ADMIT OR DENY THE EXISTENCE OF OTHER  
INVESTIGATIONS AND POTENTIAL INDICTMENTS

The Defendant respectfully moves this Court for an order requiring the Government to admit or deny the existence of other investigations and potential indictments of him and, as grounds therefor, avers as follows:

1. The Department of Justice has an internal policy against dual prosecution. That policy is set forth in United States Attorney's Manual, 9-2.142:

. . . a federal prosecution may be had after a state prosecution of the same defendant for the same act or acts only if a recommendation demonstrating compelling interest for a federal prosecution is made to the appropriate Assistant Attorney General.

And at 9-2.143:

. . . If a prospective defendant has been federally prosecuted for an offense and a U.S. Attorney desires to further prosecute him for another offense arising from the same transactions, a recommendation . . . shall be submitted to the Assistant Attorney General for approval prior to initiating prosecution. . . .

2. The policy noted is derived from *Petite v. United States*, 261 U.S. 529 (1960), wherein a defendant was prosecuted by the United States in two separate judicial districts for offenses arising out of a single transaction. When the case came before the Supreme Court, the Solicitor General moved to have the second judgment vacated on the basis of the Government's policy against dual prosecution. The Court's *per curiam* opinion, which remanded with instructions that the Government be allowed to dismiss the indictment, was the first judicial recognition of the policy.

3. The defendant is entitled to know of the existence of any other investigation which might lead to an indictment for offenses arising from the same transactions in order that appropriate



motions to dismiss may be filed. Furthermore, the defendant is entitled to know of any communications or negotiations between prosecutors and agents in this District with others in districts where they may later be indicted in order to avoid any attempts by officials in those other districts to time indictments in such a manner as to appear not to violate the *Petite* policy.

The defendant relies upon those provisions of the United States Attorney's Manual recited above, as well as *Petite v. United States*, 361 U.S. 529 (1960), and Rules 2 and 11(d) of the Federal Rules of Criminal Procedure.

WHEREFORE, the defendant prays that this Court will enter its order requiring the Government to admit or deny the existence of other investigations and potential indictments and to afford the defendant a full hearing on this matter.

DEFENDANT'S MOTION FOR SPECIAL  
PRODUCTION OF STATEMENTS OF  
INDIVIDUALS NOT TO BE CALLED AS WITNESSES

COMES NOW the Defendant, and pursuant to FED. R. CRIM. P. 57(d), move this Court for its order requiring the Government to produce all interviews, memoranda, and reports made from interviews with those persons whom the Government has determined not to call as a witness at trial and as grounds therefore would show:

1. This request does not go to those reports of interviews or statements made by prospective government witnesses which would be covered by the provisions of 18 U.S.C. §3500 and FED. R. CRIM. P. 16(a)(2).

2. Defendant does, however, seek such items with regard to those individuals interviewed during the course of the investigation of this case and whom the Government has determined not to call as witnesses.

The defendant's request for reports and interviews or statements made by individuals whom the Government has determined not to call as witnesses is bottomed on the principals of *Brady v. Maryland*, 373 U.S. 83 (1963). This precise issue was raised in the case of *United States v. Perkins*, 383 F. Supp. 922, 930 (N.D. Ohio 1974), in which a request was made for "interview memoranda and

reports made from interviews which those persons whom the government has determined not to call as witnesses". In responding to that request, the Court stated:

Concededly there are a variety of reasons for not calling a witness, but since the better practice is to resolve doubt as to the exculpatory nature of certain materials in favor of the defendant, and since the government no doubt has a somewhat different view of the exculpatory or mitigating nature of materials in its possession, the Court directs the government to make available to the defense those memoranda and reports of persons not to be called as witnesses, doing so not later than two weeks prior to trial.

While the request made herein is an unusual request made in pretrial discovery proceedings, the defendant submits that it is important to the preparation of their defense in this cause, and that *United States v. Perkins, supra.*, provides not only authority, but also a well-reasoned underpinning of that authority for the granting of this Motion.

#### MOTION IN LIMINE REGARDING USE OF AFTER FORMER CONVICTIONS

Counsel for the defendant Hall, Sr. moves to restrict the use of the defendant Lawrence's prior convictions pursuant to F.R.E. 609(a). It should be noted that none of these convictions involve crimes of violence or use of firearms and therefore it is submitted that their prejudicial affect outweighs their probative effect.

It is suggested in *United States v. Burkhead*, 646 F.2d 1283 (8th Cir. 1981), by classifying as reversible error the trial court's failure to rule on the defendant's motion *in limine* regarding the defendant's prior conviction. Finally, as stated in *Federal Courtroom Evidence* 158 (Cotchett & Elkind), "The court should require the prosecution to state briefly the surrounding circumstances, date, nature and place of the conviction. The defendant should be given an opportunity to rebut evidence showing lack of prejudicial effect".

#### MOTION TO EXCLUDE EVIDENCE OFFERED BY THE PROSECUTION PURSUANT TO F.R.E. 404(b)

In addition to counsel's previous motion on the limitation of 404(b) evidence, and in the

spirit of the defense bar and its neverending search for legitimate and constitutional obstacles to the Government's prosecution, it is submitted that due process prohibits the introduction of 404(b) evidence absent proof beyond a reasonable doubt. Even though the Supreme Court most recently in *Huddleston v. United States*, 108 S.Ct. 1496 (1988), obviated the necessity of the trial court's application of a standard of proof regarding admissibility, the decision was couched in terms of the Federal Rules of Evidence and advisory committee notes. Nowhere in the *Huddleston* opinion or in any previous cases read by counsel herein, has the argument been advanced that the introduction of other crimes' evidence utilizing any less standard than proof beyond a reasonable doubt, violates the defendant's Fifth Amendment rights to due process. The notion that the Government can escape proof beyond a reasonable doubt as to the substantive crime charged by allowing proof of other or similar acts' evidence with the emasculated standard of proof now approved by the Supreme Court under the guise of the Federal Rules of Evidence, flies totally in the face of any legitimate constitutional reasoning and/or logic.

In *United States v. Davis*, 45 Cr.L. 2258 at 2259, the Court held: "The Due Process Clause commands that Congress may not require that any person be incarcerated for a fixed period directly attributable to a specific fact determination unless proved beyond a reasonable doubt". In *Re Winship*, 397 U.S. 358, 364 (1970); *Mullaney v. Wilbur*, 421 U.S. 684, 704 (1975); see also *McMillan v. Pennsylvania*, 477 U.S. 79 (1986). The rationale of those cases can be equally applied to the admissibility of 404(b) evidence because by its very nature a conviction based upon the introduction of this type of evidence results precisely in a "specific fact determination" by lesser standard than proof beyond a reasonable doubt. Although the *Davis* case deals with a trial court's determination that the sentencing guidelines violate the Due Process Clause, the rationale of that opinion and the Supreme Court cases referred to therein, suggest its applicability in striking down the concept of admissibility of 404(b) evidence without the requisite proof beyond a reasonable doubt.

#### MOTION FOR WITNESS LIST

COMES NOW the defendant Hall, Sr. by and through his undersigned counsel, and moves this Court for an order requiring the United States Attorney to furnish to counsel the list containing the

names and addresses of those individuals that the Government intends to call at any hearing or at the trial of this case. Counsel is not unmindful of the fact that it is a rare day that government witness lists are provided to counsel prior to trial.

This Court clearly possesses the power to order the Government to disclose its list of witnesses, particularly those witnesses to be called at trial in this case. *See United States v. Jackson*, 508 F.2d 1001, 1005-07 (7th Cir. 1975), wherein the Court upheld, on the basis of the trial court's "inherent power", dismissal of the indictment on the grounds that the Government refused to comply with the pretrial order to identify the Government's witnesses. *See also United States v. Leichtfuss*, 331 F.Supp. 723, 732 (N.D. Ill. 1971).

Effective confrontation in cross-examination of witnesses against a defendant is guaranteed by the Sixth Amendment to the United States Constitution. *See Pointer v. Texas*, 85 S.Ct. 1065 (1965). In addition, FED. R. CRIM. P. 2 is particularly appropriate in its provision that the Rules of Criminal Procedure should be construed "to secure simplicity in procedure, fairness in administration and the limitation of unjustifiable expense and delay".

In summary, defendant's request for disclosure of the identity and addresses of the Government's witnesses in this case is material, reasonable, and justified particularly in light of the constitutional guarantees of the Fifth and Sixth Amendments to the United States Constitution.

MOTION TO RESERVE THE RIGHT TO FILE  
FURTHER MOTIONS, INCLUDING BUT  
NOT LIMITED TO MOTION TO SUPPRESS  
PURSUANT TO RULE 12(b)(1), PARAGRAPH 1 THROUGH 5

COMES NOW the defendant Hall, and pursuant to FED. R. CRIM. P. 12(b)(1), ¶¶1-5, and FED. R. CRIM. P. 12(d)(2), and requests this Court to enter an order allowing the defendant Hall to reserve the right to file any additional motions which may be deemed necessary pursuant to Request for Discovery under Rule 16, including but not limited to search and identification testimony.

MOTION TO PRECLUDE PROSECUTOR  
FROM CONFERRING WITH PROSECUTION WITNESSES

COMES NOW the defendant Hall, Sr. by and through undersigned counsel and moves this Honorable Court for a protective order, directing the prosecutor and any of his agents to refrain from

conferring with prosecution witnesses, during the trial of this case, and for good cause would show unto this Honorable Court, the following:

1. Recently the Supreme Court in *Perry v. Leeke*, 488 U.S. \_\_\_\_, 109 S. Ct. \_\_\_\_, 102 L.Ed.2d 624 (1988) (holding that an accused has no right to confer with his counsel during a brief recess in his testimony) noted "that cross-examination is more likely to elicit truthful responses if it goes forward without the witness an opportunity to consult with . . . his or her lawyer". *Perry v. Leeke*, supra, at p. \_\_\_\_.

The reason for the rule (precluding a witness from consulting with counsel during his or her examination) is one that applies to all witnesses -- not just defendants. It is a common practice for a judge to instruct a witness not to discuss his or her testimony with third parties until the trial is completed. Such nondiscussion orders are a corollary of the broader rule that witnesses may be sequestered to lessen the danger that their testimony will be influenced by hearing what other witnesses have to say. And to increase the likelihood that they will confine themselves to truthful statements based on their own recollections . . . Accordingly, it is entirely appropriate for a trial judge to decide . . . that cross-examination is more likely to elicit truthful responses if it goes forward without allowing the witness an opportunity to consult with third parties, including his or her lawyer. *Perry v. Leeke*, supra, at p. \_\_\_\_.

2. That it would enhance this truth-seeking function and further the purposes underlying this accused's Sixth Amendment right of confrontation to allow for cross-examination of government witnesses without the benefit of consultation with counsel for the Government. As the Supreme Court recently reiterated in *Green v. Bolk Laundry Machine Co.*, \_\_ U.S. \_\_\_\_, 45 Cr.L. 3061 (May 22, 1989):

The Sixth Amendment to the Constitution guarantees a criminal defendant certain fair trial rights not enjoyed by the prosecution. *Greene v. Bolk Laundry Machine Co.*, supra, 45 Cr.L. at P. 3063.

3. That the purposes of Rule 615 of the Federal Rules of Evidence would be served where non-party witnesses are not allowed to consult with counsel during their testimony.

WHEREFORE, defendant Hall, Sr. prays that an order be entered directing government counsel and his witness not to consult with any parties, other witnesses, or counsel during pretrial hearings or the trial of this case, or in the alternative, not to consult during any interruptions or recesses

in their testimony in this case.

MOTION TO SUPPRESS

COMES NOW the defendant, Loran Eugene Hall, Sr. by and through undersigned counsel, and pursuant to Federal Rule of Criminal Procedure 12 (b) (3), moves to suppress, *inter alia*, the following:

(1) Evidence seized pursuant to the Marion County Kansas Search warrant issued on 4/6/89 by Judge William D. Clement for the farm house and tin out building located in the north 1/2 of Sec. 16, Township 22, Range 5E, Marion County Kansas.

Counsel for the Defendant alleges that the Search Warrant was procured in violation of the Constitution of the United States as set forth in *Illinois v. Gates*, 103 S. Ct. 2317 (1983).

The Defendant would further request the affidavits used to procure the above-mentioned search warrant be produced for inspection for a determination as to whether said affidavits contain any information relevant to this proceeding.

MOTION TO ADOPT ALL  
MOTIONS PREVIOUSLY FILED

Rather than set forth in this pleading the combined pretrial motions filed in opposition to the original indictment, counsel incorporates herein as though fully set out all of those motions.

Respectfully submitted,



PAUL D. BRUNTON OBA #1256  
Attorney for Defendant  
LORAN EUGENE HALL, SR.  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119  
(918) 582-1993

CERTIFICATE OF DELIVERY

I hereby certify that on this 21 day of may, 1990, a true and correct copy of the above and foregoing Combined Pretrial Motions and Briefs in Support on Behalf of Defendant Loran Eugene Hall, Sr. was delivered to the U.S. Attorney's Office, Federal Building, 333 West Fourth Street, Tulsa, Oklahoma 74103.

  
\_\_\_\_\_  
PAUL D. BRUNTON

# United States District Court

UNITED STATES MARSHAL  
RECEIVED

NORTHERN

DISTRICT OF

OKLAHOMA

APR 11 8 44 AM '90

UNITED STATES OF AMERICA  
V.

LORAN EUGENE HALL, SR.

TOPEKA, KANSAS  
89 62 0707 0182  
WARRANT FOR ARREST

CASE NUMBER:

89CR

83E

To: The United States Marshal  
and any Authorized United States OfficerYOU ARE HEREBY COMMANDED to arrest LORAN EUGENE HALL, SR.

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment  
 ☐ Information  
 ☐ Complaint  
 ☐ Order of court  
 ☐ Violation Notice  
 ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Conspiracy to Manufacture; Possess with Inent to Distribute; and to Distribute  
Methamphetamine; Forfeiturein violation of Title 21 United States Code, Section(s) 846, 841(a)(1), 853

JACK C. SILVER

Name of Issuing Officer

Title of Issuing Officer

Signature of Issuing Officer

Date and Location

JUL 06 1989

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_  
Name of Judicial Officer

## RETURN

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

Wichita, Kansas

DATE RECEIVED

04-09-90

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

64-04-90

Eddie R. DeHerrera

C.I.D.U.S.M.

Eddie R. DeHerrera



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED  
IN OPEN COURT

JUL 5 1989

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,  
KENT PATRICK THIMMESCH a/k/a  
PAUL RICHARD LASSLEY,  
LOREN EUGENE HALL, JR.  
BARBARA ANN MARTENEY,  
DAVID ROYSE LADD and  
MICHAEL STEVEN HALL,

Defendants.

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

No. **89CR 83E**

I N D I C T M E N T

[21 U.S.C. §§846, 841(a)(1):  
Conspiracy to Manufacture;  
Possess with Intent to  
Distribute; and to  
Distribute, Methamphetamine;  
21 U.S.C. §853: Forfeiture]

United States District Court ) ss  
Northern District of Oklahoma )  
I hereby certify that the foregoing  
is a true copy of the original on file  
in this Court.

Jack C. Silver, Clerk

THE GRAND JURY CHARGES:

By

Deputy

COUNT ONE

[21 U.S.C. §§846, 841(a)(1), 853]

A. INTRODUCTION

Beginning in or about September, 1987, and continuing through and including February 16, 1989, defendants LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL, and other co-conspirators, both known and unknown to the grand jury, did willfully and knowingly combine, conspire, confederate and agree to commit offenses against the United States in violation of Title 21, U.S.C., §846, as follows:

(1) To knowingly and intentionally manufacture methamphetamine, a Schedule II stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

(2) To knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21, U.S.C. §841(a)(1).

(3) To knowingly and intentionally distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

B. MEANS OF THE CONSPIRACY

The objects and means of the conspiracy were to be accomplished and were accomplished by the defendants, and other co-conspirators, as follows:

(1) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, and others both known and unknown to the grand jury, would and did knowingly purchase precursor chemicals in the Northern District of Oklahoma, and elsewhere, with the intent to manufacture mehtamphetamine.

(2) LOREN EUGENE HALL, JR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, and others both known and unknown to the grand jury, would and did knowingly transport precursor chemicals and laboratory equipment to be used in establishing clandestine laboratories for the manufacture of methamphetamine.

(3) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, MICHAEL STEVEN HALL, and others both known and unknown to the grand jury would and did knowingly manufacture methamphetamine.

(4) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, and others both known and unknown to the grand jury would and did knowingly distribute methamphetamine.

C. OVERT ACTS

To effect the objects of the conspiracy, the defendants named herein, and other co-conspirators, committed diverse overt acts within the Northern District of Oklahoma, and elsewhere, among which were the following:

(1) In or about September or October, 1987, LORAN EUGENE HALL, SR., and DAVID ROYSE LADD traveled from Balt Springs, Texas to Kansas for the purpose of manufacturing methamphetamine.

(2) In or about September or October, 1987, LORAN EUGENE HALL, SR., returned from Kansas to Texas with methamphetamine.

(3) In or about September or October, 1987, BARBARA ANN MARTENEY, in Texas, sold methamphetamine, and delivered money therefrom to LORAN EUGENE HALL, SR.

(4) In or about May or June, 1988, LORAN EUGENE HALL, SR., rented a farm near Scurry, Texas, for the purpose of manufacturing methamphetamine.

(5) In or about October or November, 1988, MICHAEL STEVEN HALL spilled meth oil on the floor of a shed in or near Mesquite, Texas, while loading articles in a truck.

(6) In or about October or November, 1988, LORAN EUGENE HALL, SR., and MICHAEL STEVEN HALL departed Mesquite, Texas, to manufacture methamphetamine.

(7) On or about October 28, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., inquired as to purchasing chemicals and glassware in Wichita, Kansas.

(8) On or about October 31, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., purchased chemicals and glassware in Tulsa, Oklahoma.

(9) On or about November 15, 1988, LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., and an unindicted co-conspirator purchased chemicals in Tulsa, Oklahoma.

(10) On or about November 28, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., Tulsa, Oklahoma, to advise that he would be coming or calling to place an order for 110 pounds of Ephedrine.

(11) On or about November 30, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., to inquire how much Ephedrine was in stock.

(12) In or about October or November, 1988, LORAN EUGENE HALL, SR., and BARBARA ANN MARTENEY diluted mehtamphetamine with Ephedrine, in or near Mesquite, Texas.

(13) In or about November or December, 1988, BARBARA ANN MARTENEY and LORAN HALL, SR., in Texas, sold methamphetamine for profit.

(14) On or about December 30, 1988, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.

(15) On or about January 10, 1989, an unindicted co-conspirator purchased chemicals and equipment from a chemical store in Tulsa, Oklahoma, for LORAN EUGENE HALL, SR.

(16) In or about January, 1989, MICHAEL STEVEN HALL transported laboratory glassware from or near Mesquite, Texas to or near Burns, Kansas.

(17) On or about February 2, 1989, LORAN EUGENE HALL, SR., at or near Mesquite, Texas, agreed to convert one gallon of meth oil to methamphetamine.

(18) On or about February 6, 1989, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.

(19) On or about February 15, 1989, in or near Mesquite, Texas, LOREN EUGENE HALL, JR., dictated to BARBARA ANN MARTENEY who wrote down a list of needed laboratory glassware and chemicals.

(20) On or about February 15, 1989, LOREN EUGENE HALL, JR., distributed methamphetamine in or near Mesquite, Texas.

(21) On or about February 15, 1989, LOREN EUGENE HALL, JR., possessed a firearm while distributing methamphetamine and discussing his clandestine laboratory.

(22) On or about February 15, 1989, DAVID ROYSE LADD and LOREN EUGENE HALL, JR., purchased five (5) gallons of Hydiodic Acid, 500 grams of Red Phosphorous and ten (10) pounds of Ephedrine at DFW Chemicals in Grand Prairie, Texas.

(23) On or about February 16, 1989, LOREN EUGENE HALL, JR., and an unidentified co-conspirator purchased laboratory equipment and glassware at DFW Chemicals in Grand Prairie.

(24) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICAHRD LASSLEY loaded chemicals, laboratory equipment and glassware onto a truck in Mesquite, Texas.

(25) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY transported firearms, chemicals, laboratory equipment and glassware from Texas through Oklahoma on their way to Kansas.

D. PROPERTY SUBJECT TO FORFEITURE

Forfeiture may and shall be ordered to the United States by the Court of the above defendant's following described property upon their individual and respective convictions herein, pursuant to Title 21, United States Code, §853:

(1) Any property constituting or derived from any proceeds any defendant obtained directly or indirectly, as the result of the violation herein.

(2) Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation herein.

A TRUE BILL

TONY M. GRAHAM  
United States Attorney

By

S/Jack Morgan  
Assist. U.S. Attorney

\_\_\_\_\_  
Assistant United States Attorney

S/HARRY STEPHENS

\_\_\_\_\_  
Foreperson

JSM:ddb

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 10 1990

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID ROYSE LADD,

Defendant.

No. 89-CR-83-05-E ✓

SUBSTANTIAL ASSISTANCE MOTION

Comes now the government and advises the Court that the above defendant pleaded guilty herein on the 2nd day of March, 1990. His sentencing is currently scheduled for May 15, 1990 at 9:00 a.m.

This defendant, David Royse Ladd, has made a good faith effort to provide substantial assistance in the investigation and/or prosecution of other persons who have committed federal offenses.

Pursuant to the provisions of the Sentencing Guidelines §5K1.1, the government moves for the Court to depart from the guidelines to grant this defendant an appropriate reduction in sentence.

Reasons for the Court to consider such a downward departure, is the conduct of the defendant, which conduct, for

security reasons, should be presented in camera, to the Court at time of sentencing, or any other time so ordered.

Respectfully submitted,


TONY M. GRAHAM  
United States Attorney



JOHN S. MORGAN  
Assistant United States Attorney  
3600 U.S. Courthouse  
333 West Fourth Street  
Tulsa, Oklahoma 74013

CERTIFICATE OF SERVICE

This is to certify that on the 10 day of May, 1990, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: John E. Dowdell, Esq., 2900 Mid-Continent Tower, Tulsa, Oklahoma 74103.

  
Assistant United States Attorney

JSM:vjg



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 9 1990 <sup>09</sup>

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.

Jack C. Silver, Clerk  
U.S. DISTRICT COURT.

Criminal No. 89-CR-83-01-E ✓

OBA #1256

ORDER

NOW, on this 8<sup>th</sup> day of May, 1990, the Court upon consideration of the Defendant's application for extension of time and continuance in the above captioned matter finds that same should be granted.

IT IS THEREFORE ORDERED that the motions of the Defendant will be due by the 21 day of May, 1990 and the responses of the government due by the 29 day of May, 1990. Pre-trial hearing on motions and change of plea set for the 1<sup>st</sup> day of June, 1990 at 9:00 o'clock; jury instructions, voir dire briefs due by the 11<sup>th</sup> day of June, 1990; the jury trial is now set for the 18<sup>th</sup> day of June, 1990, at 9:30 o'clock.

Finally, the defendant is hereby ordered to file a waiver of speedy trial.

IT IS FURTHER ORDERED, that the time between May 21, 1990 and June 18, 1990, is excludable pursuant to the Speedy Trial Act.

  
JUDGE OF THE DISTRICT COURT

MINUTE SHEET - SENTENCING

DATE 5-15-90 USA vs. David Raype Lead CR. CASE NO. 89-CR-83-05 (AGE)           

SENTENCING

JUDGE COOK            Deputy R. Miller            Reporter Simpson             
JUDGE ELLISON ✓ Deputy McCullough            Reporter Dorrough             
JUDGE BRETT            Deputy Overton            Reporter Caslavka             
JUDGE            Deputy Amos Testerman Reporter McKenty

Counsel for Plaintiff Jack Morgan  
Counsel for Defendant John Howdell  
Retained; Court Appointed; FPD

MINUTE: Enter as above.

- ✓ Defendant appears in person with counsel. Counsel waived.  
✓ Witnesses give testimony (listed on back)  
✓ Defendant and counsel asked if they care to say anything before sentence is pronounced, and no cause to the contrary being shown,

Sentenced to the custody of            as to Counts           

- ✓ Imposition of sentence suspended - Probation 5 yrs as to Counts 1  
subject to conditions of probation office (must participate in substance abuse program)

18:3553 Findings re PSI/Sentence made, Transcript Ordered

Sentence re: Guidelines; within same; Departure; Upward/Downward,  
Findings Made

Bond Exonerated.

Defendant advised of right to appeal.           

Defendant gives oral notice of appeal.           

Appeal bond set at             
(cash or surety)

Remanded to custody of U. S. Marshal.           

ADDITIONAL MINUTES:           

left may travel to & from Ohio for substance abuse participation

\$50.00 J.A.

THE UNITED STATES DISTRICT COURT,  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 04 1990

Jack C. Silver, Clerk  
DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,

Defendant.

Criminal No. 89-CR-83-04-E.

OBA #1256

APPLICATION FOR EXTENSION OF TIME TO FILE MOTIONS

COMES NOW, Paul D. Brunton as attorney of record for the above named Defendant and for his application for an order allowing an extension of time to file motions in the above numbered matter, states to the Court as follows:

1. That counsel would request an extension of time to file motions due to his trial schedule.
2. That counsel has been in contact with A.U.S.A. Jack Morgan and he does not object to an extension.

WHEREFORE, an extension to file motions in the above-styled and numbered matter is hereby requested.

Respectfully submitted,



PAUL D. BRUNTON OBA #1256  
attorney for the Defendant  
LORAN EUGENE HALL, SR.  
1310 South Denver Avenue  
Tulsa, Oklahoma 74119  
(918) 582-1993

CERTIFICATE OF DELIVERY

I hereby certify that on this 4<sup>th</sup> day of May, 1990 a true and correct copy of the above and foregoing Application for Extension of Time to File Motions was delivered to the U.S. Attorney's Office, Federal Building, 333 West Fourth Street, Tulsa, Oklahoma 74103.



PAUL D. BRUNTON

0402

1. JURISDICTION 1 <input type="checkbox"/> MAG. 2 <input checked="" type="checkbox"/> DIST. 4 <input type="checkbox"/> OTHER		3 <input type="checkbox"/> APPEALS 4 <input type="checkbox"/> OTHER		2. MAG. DOCKET NO.		3. DIST. C. DOCKET NO. <b>89-C-83-E</b>		VOUCHER NO. <b>0154825</b>		
4. APPEALS DOCKET NO.		5. FOR (DISTRICT/CIRCUIT) <b>ND OKLAHOMA</b>		6. LOC. CODE <b>OKNTU</b>		7. CHARGE/OFFENSE (U.S. or other code citation) <b>21:846</b>		7A. CASE CODE <b>68</b>		
8. IN THE CASE OF <b>United States vs Loren Hall</b>						9. PERSON REPRESENTED (FULL NAME) <b>Loren Hall</b>		9A. NO. <b>1</b> REPRES.		
10. PERSON REPRESENTED (STATUS) 1 <input checked="" type="checkbox"/> DEFENDANT-ADULT 3 <input type="checkbox"/> APPELLANT 5 <input type="checkbox"/> OTHER 2 <input type="checkbox"/> DEFENDANT-JUVENILE 4 <input type="checkbox"/> APPELLEE						11. PROCEEDINGS (Describe briefly)  <b>ALL PROCEEDINGS FILED</b>				
12. PAYMENT CATEGORY A <input checked="" type="checkbox"/> FELONY C <input type="checkbox"/> PETTY OFFENSE E <input type="checkbox"/> OTHER B <input type="checkbox"/> MISDEMEANOR D <input type="checkbox"/> APPEAL						<div style="text-align: right; font-weight: bold; font-size: 1.2em;">APR 20 1990</div>				
13. COURT ORDER O <input checked="" type="checkbox"/> Appointing Counsel F <input type="checkbox"/> Subs. for FD P <input type="checkbox"/> Subs. for Panel Atty. C <input type="checkbox"/> Co-Counsel R <input type="checkbox"/> Subs. for Retained Atty. Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in item 14 is appointed to represent this person in this case.										
Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy)  <div style="text-align: center;"> <b>April 17, 1990</b>          Date of Order       </div>						14. NAME OF ATTORNEY/PAYEE AND MAILING ADDRESS <b>Paul D. Brunton 1310 South Denver Tulsa, Oklahoma 74119</b>		15. TELEPHONE NO. <b>918/582-1993</b>		
						16. SOC. SEC. NO. <b>445-44-7637</b>				
CLAIM FOR SERVICES OR EXPENSES										
IN COURT	17. a. Arraignment and/or Plea			HOURS		DATES		Multiply rate per hour times total hours to obtain "In Court" compensation.  Enter total below.  17A. TOTAL IN COURT COMP. \$		
	b. Bail and Detention Hearings									
	c. Motions Hearings									
	d. Trial									
	e. Sentence Hearings									
	f. Revocation Hearings									
	g. Appeals Court									
	h. Other (Specify on additional sheets)									
(Rate per hour = <b>\$60</b> ) TOTAL HOURS =										
OUT OF COURT	18. a. Interviews and conferences							Multiply rate per hour times total hours. Enter total "out of court" compensation below.  18A. TOTAL OUT OF COURT COMPENSATION \$		
	b. Obtaining and reviewing records									
	c. Legal research and brief writing									
	d. Travel time (Specify on additional sheets)									
	e. Investigative and other work (Specify on additional sheets)									
(Rate per hour = <b>\$40</b> ) TOTAL HOURS =										
EXPENSES	19. TRAVEL, LODGING, MEALS ETC.			AMOUNT		OTHER EXPENSES		AMOUNT		
							19A. TOTAL TRAVEL EXP. \$			
							19B. TOTAL OTHER EXP. \$			
							20. GRAND TOTAL CLAIMED \$			
21. CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD _____ TO _____										
F <input type="checkbox"/> Final Payment I <input type="checkbox"/> Interim Payment No. _____ Has compensation and/or reimbursement for work in this case previously been applied for? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, by whom were you paid? _____ How much? _____ Has the person represented paid any money to you, or to your knowledge to anyone else, in connection with the matter for which you were appointed to provide representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements										
SIGNATURE OF ATTORNEY/PAYEE _____ DATE _____										
APPROVED FOR PAYMENT	22. IN COURT COMP.		23. OUT OF COURT COMP.		24. TRAVEL EXPENSE		25. OTHER EXPENSES		26. TOTAL AMT. APPROVED/CEPT.	
	\$		\$		\$		\$		\$	
	27. SIGNATURE OF PRESIDING JUDICIAL OFFICER						DATE		27A. JUDGE/MAG. CODE	
28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR DELEGATE)						DATE		29. TOTAL AMT. APPROVED \$		

# United States District Court

Northern

DISTRICT OF

Oklahoma

UNITED STATES OF AMERICA

V.

## ORDER OF DETENTION PENDING TRIAL

Loran Eugene Hall, Sr.

Case Number: 89-CR-83-01-E

Defendant

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

### Part I — Findings of Fact

- ☐ (1) The defendant is charged with an offense described in 18 U.S.C. §3142(f)(1) and has been convicted of a (federal offense) (state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed) 1990 is
- ☐ a crime of violence as defined in 18 U.S.C. §3156(a)(4).
- ☐ an offense for which the maximum sentence is life imprisonment or death.
- ☐ an offense for which a maximum term of imprisonment of ten years or more is prescribed in
- ☐ a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. §3142(f)(1)(A)-(C), or comparable state or local offenses.
- ☐ (2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense.
- ☐ (3) A period of not more than five years has elapsed since the (date of conviction) (release of the defendant from imprisonment) for the offense described in finding (1).
- ☐ (4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an) other person(s) and the community. I further find that the defendant has not rebutted this presumption.

### Alternative Findings (A)

- ☒ (1) There is probable cause to believe that the defendant has committed an offense
- ☒ for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. Sec. 801 et seq.
- ☐ under 18 U.S.C. §924(c).
- ☒ (2) The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

### Alternative Findings (B)

- ☐ (1) There is a serious risk that the defendant will not appear.
- ☐ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

### Part II - Written Statement of Reasons for Detention

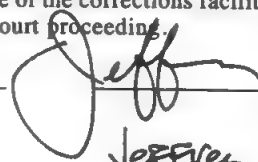
I find that the credible testimony and information submitted at the hearing establishes by (clear and convincing evidence) (a preponderance of the evidence) that

(1) There is probable cause to believe the Defendant committed the acts charged in the indictment; and (2) Defendant has elected not to make any proffer or submit any other evidence which would rebut the presumption arising per 18 U.S.C. Sec. 3142(e) that there are no conditions or combination of conditions which would reasonably assure Defendant's reappearance in court.

### Part III - Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

Dated: April 17, 1990

  
Signature of Judicial Officer  
JEFFREY S. WOLFE, U.S. Magistrate  
Name and Title of Judicial Officer

## CRIMINAL INFORMATION SHEET

USPO Johnson~~March~~ <sup>April</sup> 17, 1990, Before Magistrate: Wagner ( ) Wolfe ☒Case No. 89-CR-83-E USA v. Loren Hall SrDefendant's Age 60 Sex M Date of Birth 1-4-30Defendant's Address: 1619 E. 10thCity/State Newton, KS Zip Code 316-283-1028 Phone # Date of Arrest:  Arrested by: Bail Recommendation: \$  (Cash/Surety) (10%) (Unsecured) **FILED**  
U. S. Attorney concurs in Bail Recommendation: ( ) yes ( ) no **APR 17 1990**Bail Fixed at: \$  (Cash/Surety) (10%) (Unsecured)

Bail Made: ( ) yes ( ) no

**Jack C. Silver, Clerk  
U. S. DISTRICT COURT**

Special Conditions: (Any additional special conditions on reverse)

- |  |  |
|--|--|
| ( ) Report as Directed                           | ( ) Refrain from excessive use of alcohol      |
| ( ) Travel restriction to ND/OK &                | ( ) Refrain from possession of firearm, etc.   |
| ( ) Medical or Psychiatric treatment as directed | ( ) Successful participation in drug screening |
| ( ) Surrender passport                           | ( ) Avoid contact with:                        |
| ( ) Maintain or actively seek employment         |  |

\*( ) See reverse for additional conditions.

Detention Hearing Scheduled:  @ Arraignment Scheduled:  @ Preliminary Exam Scheduled:  @ Defendant Requests Public Defender: ☒ yes ☒ no + ret.Defendant's Attorney: Bryce Smith of Wichita (Ct. Appt) Address 1359 S. Broadway City/State/Zip 67211 Phone 316-263-8251Government's Attorney: Jack Morgan

## MINUTE:

- (☒) Deft appears for IA: (w/ret counsel) (ct appt) (w/out counsel)  
(☒) Finan. Affid. rec'd, FPD appt & : ( ) present ( ) not present  
( ) Waiver of counsel executed for IA only  
( ) Bond set; bond & cond of rel executed  
(☒) Arraignment held, deft pleads NG, ct accepts  
( ) Scheduling dates to be mailed to counsel  
( ) Initial Appearance continued to  @

Detention Hrg held; A detained  
The Govt is recommending detention  
FPD appt'd as local Counsel

# FINANCIAL AFFIDAVIT

CJA 23

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES  
IN THE CASE OF

☐ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

FOR

AT

LOCATION NUMBER

DOCKET NUMBERS

Magistrate

District Court

Court of Appeals

**FILED**

APR 18 1990

PERSON REPRESENTED (Show your full name)

- ☒ Defendant—Adult  
☐ Defendant—Juvenile  
☐ Appellant  
☐ Probation Violator  
☐ Parole Violator  
☐ Habeas Petition  
☐ 2255 Petitioner  
☐ Material Witness  
☐ Other (Specify)

CHARGE/OFFENSE (describe if applicable & check box →) ☒ Felony ☐ Misdemeanor

## ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

### EMPLOYMENT

Are you now employed? ☐ Yes ☒ No ☐ Am Self Employed

Name and address of employer:

IF YES, how much do you earn per month? \$

IF NO, give month and year of last employment  
How much did you earn per month \$ 1982/Feb  
Apr 2,000.00

If married is your Spouse employed? ☐ Yes ☒ No Divorced

IF YES, how much does your Spouse earn per month \$

If a minor under age 21, what is your Parents or Guardian's approximate monthly income \$

### OTHER INCOME

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☐ Yes ☐ No

IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES

RECEIVED  
611 Mo  
832 Mo

SOURCES  
SS Benefits  
Acting Insurance

### CASH

Have you any cash on hand or money in savings or checking account? ☒ Yes ☐ No

IF YES, state total amount \$ 400.00

### PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☒ Yes ☐ No

IF YES, GIVE VALUE AND DESCRIBE IT

VALUE

1200.00

DESCRIPTION

Boat

### DEPENDENTS

MARITAL STATUS

☐ SINGLE

☐ MARRIED

☐ WIDOWED

☒ SEPARATED OR DIVORCED

Total No. of Dependents  
0

List persons you actually support and your relationship to them

### OBLIGATIONS & DEBTS

#### DEBTS & MONTHLY BILLS

(LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)

APARTMENT OR HOME:

Creditors

Total Debt

Monthly Payt.

Boat Loan

\$ 4,000.00 \$ 301.00

Amoco Oil

\$ 1,300.00 \$ 50.00

Hertzler Clinic - Halstead, KS

\$ 1350.00 \$ 50.00

Truck Loan - Ford Motor

\$ 3,500.00 \$

I certify the above to be correct.

SIGNATURE OF DEFENDANT  
(OR PERSON REPRESENTED)

Foran E. Hall

4-17-90

### WARNING:

A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE APR 18 1990  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v. Loren Hall, Sr.

Defendant.

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

No. 89-CR-83-E

ORDER APPOINTING COUNSEL

On this 17 day of April, 1990, the above-named having completed an affidavit as to financial ability to employ counsel, and upon review, the Court finds that the affiant(s) is/are financially unable to obtain counsel. In accordance with the Northern District of Oklahoma Plan for Implementing the Criminal Justice Act 1984,

IT IS HEREBY ORDERED that the:

- ☐ Federal Public Defender is appointed to represent the following: \_\_\_\_\_ in all further proceedings unless and until relieved by order of the court.
- ☐ Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, as necessary, for appointment to represent the following: \_\_\_\_\_.
- ☒ Defendant will reimburse the government for the reasonable cost of providing representation in accordance with his/her ability to pay as determined by further order of the court.
- ☐ Federal Public Defender is temporarily appointed to represent the following: \_\_\_\_\_ purposes of initial appearance only.

Dated this 17<sup>th</sup> day of April, 1990.

Jeffrey S. Wolfe  
JEFFREY S. WOLFE  
UNITED STATES MAGISTRATE



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.

Defendant.

FILED

APR 17 1990

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

No. 89-CR-83-01-E ✓

MOTION FOR DETENTION AND AUTHORITY

COMES NOW the plaintiff and moves upon the first appearance of the defendant Loran Eugene Hall, Sr. that he be denied bond and held without bail, on the charges herein pending, on the ground and for the reasons:

(1) Defendant has been charged with an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (21 U.S.C. §801 et seq.)

(2) There is a serious risk that the defendant will flee.


(3) There is a serious risk that the defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate or attempt to threaten, injure, or intimidate a prospective witness.

A U T H O R I T Y

For authority herein the Government cites the provision of 18 U.S.C. §3142, and the presumptions accorded thereto.

Respectfully submitted,

TONY M. GRAHAM  
United States Attorney



JOHN S. MORGAN  
Assistant United States Attorney  
OCDETF  
3600 U. S. Courthouse  
333 W. 4th Street  
Tulsa, Oklahoma 74103  
(918) 581-7463

JSM:vjg

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

U.S.A.

V.

NOTICE

LORAN EUGENE HALL, SR.

CASE NUMBER:

89-CR-83-01-E

TYPE OF CASE:

☐ CIVIL☒ CRIMINAL☒

TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:

PLACE

U S COURTHOUSE  
TULSA OKLAHOMA

ROOM NO.

COURTROOM #2

DATE AND TIME

MAY 21, 1990, 9:30 A.M.

TYPE OF PROCEEDING

JURY TRIAL

☐

TAKE NOTICE that the proceeding in this case has been continued as indicated below:

PLACE

DATE AND TIME PREVIOUSLY  
SCHEDULEDCONTINUED TO, DATE  
AND TIME

4-23-90

DATE

JACK C. SILVER, CLERK

U.S. MAGISTRATE OR CLERK OF COURT

Beverly McCullough

(BY) DEPUTY CLERK

To: Paul Brunton  
Bruce Mills  
Jack Morgan

NOTE: DEFENDANT MOTIONS DUE: 5-4-90  
GOVERNMENT RESPONSES DUE: 5-11-90  
SEE NEW LOCAL RULES EFFECTIVE 12-1-89. RULE 15(f)  
PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 5-14-90, 1:00 P.M.  
REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 5-14-90

MINUTE SHEET - CRIMINAL

CR. CASE NO. 89-CR-83-01-E  
DATE 4/23/90 USA vs. Loran Eugene Hall, Sr (AGE)

ARRAIGNMENT &/OR CHANGE OF PLEA

JUDGE COOK	Deputy R. Miller	Reporter Simpson
JUDGE ELLISON	Deputy McCullough	Reporter Dorrough
JUDGE BRETT	Deputy Overton	Reporter Caslavka
MAG. WAGNER	Deputy J. Miller	Reporter <u>M. A. McKinney</u>
		Recorded
MAG. WOLFE	Deputy Mayes	Reporter
		Recorded

Counsel for Government J. Morgan  
Counsel for Defendant P. Brunton Mills  
Retained; Court Appointed; FPD

Defendant appears in person with counsel; without counsel; counsel waived  
Defendant acknowledges receipt of Indictment; Information  
Waives Indictment; jury trial; 30 days preparation; separate representation  
Waivers approved by Court

Defendant advised of charge and arraigned  
Indictment, Superseding Indictment; Information; Superseding Information;  
Filed; read; reading waived

Enter plea of \_\_\_\_\_ as to Counts \_\_\_\_\_  
Defendant withdraws plea(s) of Not Guilty to Counts \_\_\_\_\_  
Counts \_\_\_\_\_ to be dismissed at sentence

Petition to enter plea of guilty sworn to and executed; Defendant relates  
facts of charge; petition (and/or Plea Agreement) approved and filed

Defendant adjudged guilty as charged in Counts \_\_\_\_\_

Findings re: Plea Agreement; Made/Reserved

Objections to PSI to be filed by \_\_\_\_\_

Rule 32 hearing set \_\_\_\_\_

SENTENCE SET \_\_\_\_\_ PSI ordered

Defendant allowed to stand on present bond; Defendant remanded to USM

\_\_\_\_\_ Defendant(s) to file any and all pre-trial motions

\_\_\_\_\_ Government to respond

\_\_\_\_\_ Certification of Discovery Disputes

\_\_\_\_\_ Pre-trial conference & hearing on motions at \_\_\_\_\_

\_\_\_\_\_ Parties to file any suggested voir dire, inst. & trial briefs

\_\_\_\_\_ Jury trial; Non-Jury trial at \_\_\_\_\_

Memo 5-4-90; resp 5-11-90; PT motion 4/23/90 C/P 5-14-90, 1:00 PM  
GT 5-21-90

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK  
DISTRICT OF KANSAS

Wichita, Kansas

RALPH L. DELOACH  
CLERK  
204 U.S. COURTHOUSE  
401 NORTH MARKET  
WICHITA, KANSAS 67202  
(316) 269-6491  
FTS: 752-6491

490 U.S. COURTHOUSE  
444 S.E. QUINCY  
TOPEKA, KANSAS 66683  
(913) 295-2610  
FTS: 752-2610  
151 U.S. COURTHOUSE  
812 NORTH SEVENTH  
KANSAS CITY, KANSAS 66101  
(913) 236-3719  
FTS: 757-3719

April 12, 1990

Jack C. Silver, Clerk  
U.S. District Court  
411 U.S. Courthouse  
333 W. 4th Street  
Tulsa, OK 74103

RECEIVED

APR 16 1990

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

FILED

APR 17 1990

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

89-cr-83-01-E

Re: United States of America vs. Loren Eugene Hall, Sr.  
Magistrate No: 90-1041M-01 - Northern District of Oklahoma  
No. 89CR 83E

Dear Clerk:

Please find enclosed the following papers pursuant to Rule 40.

Waiver of Rule 40 Hearings  
Courtroom minute sheets dated 4-5-90 & 4-9-90.  
Order of Temporary Detention.  
Order Setting Conditions of Release.  
Appearance Bond

Please acknowledge receipt of the above papers on the enclosed copy of this letter.

Very Truly Yours,

RALPH L. DELOACH, CLERK

*Bonnie Stinson*

Bonnie Stinson, Deputy Clerk

cc: U.S. Attorney  
Bryson Mills, Attorney  
Magistrate Wooley

Received above papers on 4-16-90.

dt  
DEPUTY CLERK

( ) Defendant refused to proceed in Magistrate's Court and remanded to District Court

United States District Court

FILED

APR 05 1990

DISTRICT OF KANSAS

UNITED STATES OF AMERICA

v.

RALPH L. DeLOACH, CLERK  
By B. Stinson Deputy

ORDER OF TEMPORARY DETENTION  
PENDING HEARING PURSUANT TO  
BAIL REFORM ACT

LORAN EUGENE HALL, SR.

*Defendant*

Case Number: 90-1041M-01


Upon motion of the Government, it is ORDERED that a  
detention hearing is set for April 9, 1990 \* at 10:30 a.m.  
*Date* *Time*

before The Honorable John B. Wooley  
*Name of Judicial Officer*

Wichita, Kansas  
*Location of Judicial Officer*

Pending this hearing, the defendant shall be held in custody by (the United States marshal) ( \_\_\_\_\_  
\_\_\_\_\_) and produced for the hearing.  
*Other Custodial Official*

Date: April 5, 1990

  
*Judicial Officer*

\*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.

FILED

## United States District Court

APR 10 1990

DISTRICT OF KANSAS

RALPH L. DELLOACH, CLERK  
By B. Stinson Deputy

UNITED STATES OF AMERICA

FILED

V.

## WAIVER OF RULE 40 HEARINGS

APR 16 1990 (Excluding Probation Cases)

LORAN EUGENE HALL SR.

Jack C. Silver, Clerk  
U. S. DISTRICT COURT  
Case Number: 90-1041M-01

I, LORAN EUGENE HALL, SR.

, understand that in the

Northern District of Oklahoma

, charges are pending

alleging violation of 21 USC 841 (a)(1); 846 Mfg &amp; Dis Drugs and that I have been

arrested in this District and taken before a United States Magistrate, who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

## I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ( ☒ ) identity hearing  
 (    ) preliminary examination  
 (    ) identity hearing and have been informed I have no right to a preliminary examination  
 (    ) identity hearing but request a preliminary examination be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

  
 Defendant

  
 Defense Counsel

April 9, 1990  
 Date



## CLERK'S COURTROOM MINUTE SHEET - CR. FINAL

**FILED**

## PRETRIAL PROCEEDINGS

CASE NO. 90-1041 M-01

APR-10 1990

UNITED STATES OF AMERICA

A  
P  
P  
E  
A  
R  
A  
N  
C  
E  
SLanny Wal B. Olinson Deputy

vs.

Loran Eugene Hall, SRBryson Mills☒ Retained☐ AppointedJUDGE: Wooley

KANSAS CITY

CLERK:

Barew  
Mackey

WICHITA

x

REPORTER:

TOPEKA

DATE: 4-9-90

## PROCEEDINGS

- ☐ RULE 5  
☐ ARRAIGNMENT & PLEA  
☐ CHANGE PLEA  
☐ Def. sworn to financial status  
☐ Constitutional Rights Explained  
☐ Declines to Waive Indictment  
☐ Signed Waiver of Indictment  
☐ Signed Consent to Transfer under Rule 20  
☐ Petition to Enter Plea filed  
☐ Waived Reading of:  
waived removal hearing  
☐ Previous Plea: ☐ Guilty ☐ Not Guilty  
☐ Guilty  
☐ Not Guilty  
☐ Admitted ☐ Denied -- Being Juvenile Delinquent as charged  
☐ Judgment deferred  
☐ Set for trial  
☐ Bail \$ 25,000  
☐ Remain at \$  
☐ Counts:  
☐ Continued to
- ☒ DENTENTION HEARING  
☐ WAIVER OF INDICTMENT  
☐ APPEARANCE  
☐ Counsel appointed  
☐ Will be presented to next Grand Jury  
☐ Information filed on  
☐ Complaint ☐ Violation Notice  
☐ Indictment ☐ Number of Counts  
☐ Information ☐ Read to Defendant  
☐ Guilty ☐ Not Guilty  
☐ Counts: ☐ Withdrawn  
☐ Counts: ☐ Accepted  
☐ Counts:
- ☐ BAIL HEARING  
☒ FELONY  
☐ MISDEMEANOR  
☐ Forms Furnished  
☐ P.S.I. Ordered  
☐ Sentencing Set for:  
☐ Continued on Present Bail  
☐ Remanded to custody  
☒ Release ordered  
☐ Detention ordered  
☐ To be Dismissed on Motion of U. S. Attorney at Time of Sentencing.

Motions to be filed by:

Responses or briefs filed by:

Reply Briefs:

Motions heard on:

Tentative Trial Date: 4-17-90 3:00 Pm in Tulsa, OK

- ☐ Defendant waived Omnibus Hearing  
☐ Defendant refused to proceed in Magistrate's Court and remanded to District Court

# United States District Court

NORTHERN District of OKLAHOMA

UNITED STATES OF AMERICA

V.

Loren Eugene Hall, Jr

(Name of Defendant)

## JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

Case Number 89-CR-083-003-E

Jim Heslet  
Defendant's Attorney

### THE DEFENDANT:

- ☒ pleaded guilty to count(s) Count One of a Single Count Indictment  
☐ was found guilty on count(s) \_\_\_\_\_  
plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
21 USC 846 & 841(a)(a)	Conspiracy to Manufacture, Possession With Intent to Distribute Methamphetamine	Count One

The defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) \_\_\_\_\_, and is discharged as to such count(s).  
☐ Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.  
☐ The mandatory special assessment is included in the portion of this Judgment that imposes a fine.  
☒ It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:

512-64-7511

Defendant's mailing address:

211 Overlook Drive

Derby, Kansas 67037

Defendant's residence address:

Same as above

November 21, 1989

Date of Imposition of Sentence

James O. Ellison  
Signature of Judicial Officer  
The Honorable James O. Ellison  
United States District Judge

Name & Title of Judicial Officer

Date

FILED  
NOV 21 1989  
JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

RECEIVED  
NOV 27 1989  
P 4:37  
UNIT 1

Defendant: Loren Eugene Hall, Jr.  
Case Number: 89-CR-083-003-E

Judgment—Page 2 of 4

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of Sixteen (16) months

☐ The Court makes the following recommendations to the Bureau of Prisons:

- ☐ The defendant is remanded to the custody of the United States Marshal.  
☐ The defendant shall surrender to the United States Marshal for this district,

☐ at \_\_\_\_\_ a.m.  
☐ at \_\_\_\_\_ p.m. on \_\_\_\_\_

☐ as notified by the Marshal.

☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons

☒ before ~~2 p.m.~~ 12:00 Noon on January 2, 1990

- ☐ as notified by the United States Marshal.  
☐ as notified by the Probation Office.

### RETURN

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on 1-6-90 to FCI at Indianapolis, MI, with a certified copy of this Judgment.

John C. Gluck-Wander  
United States Marshal

By Lamora, AS S  
Deputy Marshal

Defendant: **Loren Eugene Hall, Jr**  
Case Number: **89-CR-083-003-E**

### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_  
**Five (5) years**

While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

N/A

Defendant: **Loren Eugene Hall, Jr.**  
Case Number: **89-CR-083-003-E**

United States District Court ) SS  
Northern District of Oklahoma )  
I hereby certify that the foregoing  
is a true copy of the original on file  
in this Court.

Jack C. Silver, Clerk

By W. L. Lister  
Deputy

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall not possess a firearm, or any other dangerous weapon.  
These conditions are in addition to any other conditions imposed by this Judgment.
- 16) The defendant shall submit to urinalysis as directed by the probation office.

## United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

U.S.A.

V.

## NOTICE

DAVID ROYSE LADD

CASE NUMBER: 89-CR-83-05-E

TYPE OF CASE:

☐ CIVIL☒ CRIMINAL

TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:

PLACE

U. S. COURTHOUSE  
TULSA OK

ROOM NO.

COURTROOM #2

DATE AND TIME

MAY 15, 1990, 9:00 A.M.

TYPE OF PROCEEDING

SENTENCE



TAKE NOTICE that the proceeding in this case has been continued as indicated below:

PLACE

DATE AND TIME PREVIOUSLY  
SCHEDULEDCONTINUED TO, DATE  
AND TIME

JACK C. SILVER, CLERK

U.S. MAGISTRATE OR CLERK OF COURT

3-2-90

DATE

Beverly McCullough

(BY) DEPUTY CLERK

To: Defendant  
John Dowdell  
Jack Morgan

✓

MINUTE SHEET - CRIMINAL

CR. CASE NO. 89-42-83-05-E  
DATE 3/2/90 USA vs. David Royce Ladd (AGE) 30

ARRAIGNMENT &/OR CHANGE OF PLEA

JUDGE COOK _____	Deputy R. Miller _____	Reporter Simpson _____
JUDGE ELLISON <u>✓</u> _____	Deputy McCullough _____	Reporter Dorrough _____
JUDGE BRETT _____	Deputy Overton _____	Reporter Caslavka _____
MAG. WAGNER _____	Deputy J. Miller _____	Reporter _____
_____	_____	Recorded _____
MAG. WOLFE _____	Deputy Mayes _____	Reporter _____
_____	_____	Recorded _____

Counsel for Government J. Morgan ✓  
Counsel for Defendant J. Powell ✓  
Retained; Court Appointed; FPD

✓ Defendant appears in person with counsel; without counsel; counsel waived  
Defendant acknowledges receipt of Indictment; Information  
✓ Waives Indictment; jury trial; 30 days preparation; separate representation  
✓ Waivers approved by Court

Defendant advised of charge and arraigned  
✓ Indictment, Superseding Indictment; Information; Superseding Information;  
Filed; read; reading waived

✓ Enter plea of Guilty as to Counts 1  
✓ Defendant withdraws plea(s) of Not Guilty to Counts 1  
Counts \_\_\_\_\_ to be dismissed at sentence

✓ Petition to enter plea of guilty sworn to and executed; Defendant relates facts of charge; petition (and ~~or~~ Plea Agreement) approved and filed

✓ Defendant adjudged guilty as charged in Counts 1

Findings re: Plea Agreement; Made/Reserved

Objections to PSI to be filed by \_\_\_\_\_

Rule 32 hearing set \_\_\_\_\_

SENTENCE SET May 15, 1990, 9:00 A.M. ✓ PSI ordered

✓ Defendant allowed to stand on present bond; Defendant remanded to USM

\_\_\_\_\_ Defendant(s) to file any and all pre-trial motions

\_\_\_\_\_ Government to respond

\_\_\_\_\_ Certification of Discovery Disputes

\_\_\_\_\_ Pre-trial conference & hearing on motions at \_\_\_\_\_

\_\_\_\_\_ Parties to file any suggested voir dire, inst. & trial briefs ✓

\_\_\_\_\_ Jury trial; Non-Jury trial at \_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED  
MAR 2 1990

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

*David Royce Ladd*  
Defendant.

Criminal Case

No. 89-CR-83-05-E

WAIVER OF JURY

I, the undersigned defendant, having been fully apprised of my rights, do hereby waive a jury and agree to try the above-entitled case to the Court as provided by Rule 23(a), Rules of Criminal Procedure.

CONSENT OF GOVERNMENT:

*Morgan*  
United States Attorney

*David Royce Ladd*  
Defendant

*Jack C. Silver*  
Attorney for Defendant

Signed and approved in open Court this 29 day of March, 1990.

*James L. Silver*  
UNITED STATES DISTRICT JUDGE



IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

200  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, ) No. 89-CR-83-05-E  
 )  
vs. ) PETITION TO ENTER PLEA OF GUILTY  
 ) AND  
 ) ORDER ENTERING PLEA  
 )  
DAVID ROYSE LADD, ) (Federal Rules of  
 ) Criminal Procedure,  
 ) Rules 10 and 11)  
Defendant. )

*The defendant represents to the Court:*

(1) My full true name is: David Royse Ladd.  
I am 30 years of age. I have gone to school up to and  
including completed approximately. I request that all proceedings  
against me be in my true name. / one year of college at Malone College,  
Canton, Ohio.

(2) I am represented by a lawyer; his/her name is:  
John E. Dowdell, Esq.

(3) I received a copy of the Indictment before being called  
upon to plead. I read the Indictment and have discussed it with  
my lawyer. I fully understand every charge made against me.

(4) I told my lawyer all the facts and circumstances known  
to me about the charges made against me in the Indictment. I  
believe that my lawyer is fully informed on all such matters.

(5) I know that the Court must be satisfied that there is a  
factual basis for a plea of "GUILTY" before my plea can be  
accepted. I represent to the Court that I did the following acts  
in connection with the charge(s) made against me in Count(s)

On various occasions beginning in late 1988, I assisted other named defendants, specifically Loren Hall, Sr. and Loren Hall, Jr. in the acquisition of chemicals and related objects (such as glassware) which was to be utilized in an attempt to manufacture methamphetamine. The conspiracy of the Halls and others regarding the manufacture of methamphetamine was already ongoing when they sought my assistance. I assisted the Halls in the acquisition of these materials knowing that it would be used in an attempt to manufacture methamphetamine. On one occasion, I was present when an attempt was made to manufacture (or "cook") methamphetamine. To my knowledge, that attempt failed.

*(In the above space defendant must set out in detail what (s)he did. If more space is needed, add a separate page.)*

"Indictment" also includes "Information."

**NOTE:** If the space provided is not sufficient for a complete response, you should add an attachment and indicate an answer is made in attachment.

(6) My lawyer has counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that I might have in this case.

(7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY", I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.

(8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am "GUILTY".

(9) I know that if I plead "GUILTY" I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.

(10) Know that if I plead "GUILTY" the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.

(11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment, which, as provided by law is 20 years imprisonment and/or a fine of \$1,000,000.00. My lawyer has further advised me that if the offense(s) to which I plead "GUILTY" occurred on or after January 1, 1985, the maximum fine is the largest of:

- (a) The amount specified in law defining the offense
- (b) Double the gross pecuniary gain derived by a defendant from the offense
- (c) Double the pecuniary loss caused by the offense to another person

	<u>Individual Def.</u>	<u>Other Def.</u>
(d) Any Felony; Misdemeanor resulting in Death	\$ 250,000	\$500,000
Other Misdemeanor punishable by more than six months	100,000	200,000

My lawyer has also advised me that a Special Monetary Assessment in the amount of \$ 50.00 will be assessed per count if the offense(s) occurred on or after November 12, 1984.

Further, my lawyer has advised me that if the offense(s) to which I plead "GUILTY" occurred after December 31, 1982, and the offense(s) charge violation(s) of any statute found under Title 18 of the United States Code or certain subsections of the Federal Aviation Act (Title 49 U.S.C. 1472), that Title 18 U.S.C. et seq. authorizes a court to sentence a defendant to pay restitution in addition to or in lieu of any other penalty permitted by law, to any victim of the offense(s).

Also, if convicted of certain drug offense(s) under Title 21, an additional term of at least three years Special Parole/Supervised Release must be imposed.

I have been advised by counsel that I will be sentenced pursuant to the sentencing guidelines procedure established by Title 18 U.S.C. 3553 et seq. I understand that sentencing is a matter left exclusively in the province of the Court; and I understand that the sentence imposed by the Court may be within the guideline table range provided by law, or for good cause stated the Court may depart therefrom after a review of all relevant facts and circumstances of my case have been considered by the Court.

I further understand the Court may impose a term of Supervised Release that will run after any term of confinement that might be imposed.

Further, I understand that probation is not available as a sentencing alternative to the Court in most cases under the sentencing guidelines, and that whenever probation is permissible under the sentencing guidelines it is exclusively within the Court's province to grant or deny probation.

(12) If I am on probation or parole in this or any other Court, I know that by pleading "GUILTY" here, my probation or parole may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this case.

(13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of lenience if I plead "GUILTY", except as follows:

(Here insert any promises or concessions made to the defendant or to his attorney. If the plea of "GUILTY" is the result of a plea agreement, refer to paragraph (14) of this petition.)

---

If anyone else, including my attorney, made such a promise, suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.

I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of "GUILTY".

(14) My plea of "GUILTY" (is) (is not) the result of a plea agreement entered into between the government attorney, my attorney, and me.

Since my plea of "GUILTY" is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:

See attached plea agreement.

---

I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of "GUILTY".

(15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.

(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:

*Guilty AS charged in the indictment*

---

"The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s) \_\_\_\_\_", "NOT GUILTY as charged in Count(s) \_\_\_\_\_".

(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are:

Depakote -- A prescription drug I am taking in order to attempt to control chronic seizures which originated in a construction accident on September 9, 1987. (If none, so state.)

(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.)

Though I have never been found to be "mentally incompetent" or "mentally ill", I have been found to have suffered from brain damage as a result of the accident referred to in paragraph 17. Attached hereto as Exhibit "B" is a letter from my neurologist dated December 7, 1988, regarding the diagnosis of brain damage.

(19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of "GUILTY" is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.

(20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.

(21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.

Signed and Sworn to by me in open Court, in the presence of my attorney, this 2 day of March, 1990.

David Rose  
Defendant

Subscribed and Sworn to before me this 2 day of March, 1990.

B. M. Cullough  
Deputy Clerk

### CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant  
David Royse Ladd \_\_\_\_\_, hereby certifies:

(1) I have read and fully explained to the defendant the allegations contained in the Indictment in this case.

(2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

I have further explained to my client the provisions of guideline sentencing as established by Title 18 U.S.C. 3553 et seq., and that sentencing is left solely within the province of the Court.

My client fully understands that for good cause shown, the Court may depart from the guideline table range and further that probation is not available as a sentencing alternative in most cases under guideline sentencing. Also, my client fully understands that whenever probation is a permissible sentencing alternative, it is exclusively within the Court's discretion to grant or deny probation.

(3) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts (s)he related to me and is consistent with my advice to the defendant.

(4) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.

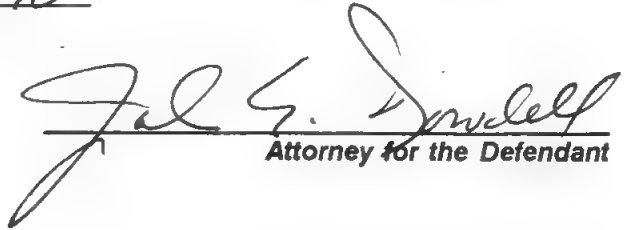
(5) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".

(6) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

I have advised the defendant of the impact which a substantial assistance  
motion (Section 5k1.1) or a Rule 35(b) F.R.Crim.P. motion may have upon the  
Sentencing Guidelines.

(7) I further represent to the Court that the defendant's plea of "GUILTY" (is) (is not) the result of a plea agreement. The terms of the agreement are set out in paragraph (14) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him/her the opportunity to withdraw his/her plea of "GUILTY".

Signed by me in open Court in the presence of the defendant above named and after full discussion of the contents of this certificate with the defendant, this 2<sup>nd</sup> day of March, 1990.

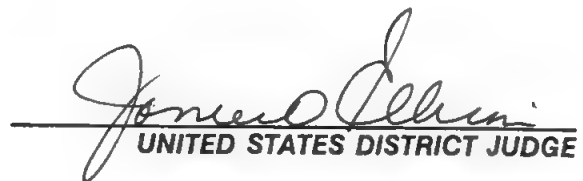
  
Attorney for the Defendant

O R D E R

I find that the plea of "GUILTY" was made by the defendant freely, voluntarily, and because (s)he is "GUILTY" as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime(s) charged and that there is a factual basis for the pleas(s) of "GUILTY" and the defendant is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea(s) of "GUILTY" be accepted and entered as prayed for in the petition and as recommended in the certificate of his/her lawyer..

Done in open Court this 2 day of March, 1990.

  
UNITED STATES DISTRICT JUDGE



U.S. Department of Justice

United States Attorney  
Northern District of Oklahoma

3600 United States Courthouse  
333 West 4th Street  
Tulsa, Oklahoma 74103

918/581-7463

January 17, 1990

Mr. John E. Dowdell  
Attorney at Law  
2900 Mid-Continent Tower  
Tulsa, Oklahoma 74103

Re: United States v. David Royse Ladd, No. 89-CR-83-05-E  
Northern District of Oklahoma

Dear Mr. Dowdell:

Pursuant to our discussions, and David Royse Ladd's desire to enter a plea of guilty to the above referenced One Count Indictment, this letter constitutes a plea agreement. As this offense occurred after November 1, 1987, the sentence in this case will be set in accordance with the Sentencing Guidelines. To calculate such a sentence the amount of controlled substance involved will be the primary factor in the determination of the offense level.

Mr. Ladd currently stands charged with one count of violating Title 21, U.S.C. § 846, 841(a)(1), Conspiracy to Manufacture; Possess with Intent to Distribute and to Distribute Methamphetamine. After the amount of controlled substances is established and an offense level is determined, as pertains to this conspiracy, additional calculations, whether reductions or increases will be left solely to the determination of the sentencing judge.

Should your client plead guilty to the said Indictment, the maximum punishment under the statute is 20 years imprisonment, a \$1,000,000.00 fine, a \$50.00 special assessment, and a minimum term of three years supervised release.

Timely acceptance of responsibility (§ 3E1.1) allows a 2 point level of reduction, if he agrees to the following:

1. Enter a plea of guilty on or before the current trial date thereby assuming personal responsibility for the offense;
2. Voluntary termination or withdrawal from criminal activity or associations;
3. Voluntary and truthful admission to all government authorities, before sentencing, of his involvement in the



Mr. John E. Dowdell, Esq.

January 17, 1990

Page 2

The sentencing judge is in a unique position to evaluate the acceptance of responsibility and his determination will provide the final approval of such 2 level reduction of the offense level.

Our preliminary understanding of the pertinent facts and circumstances, as they are known to us at this time, indicates that your client's associations would enable him significantly to assist the pursuit of justice by providing direct first-hand information concerning alleged criminal acts and transactions.

Accordingly, the government is willing to enter into the following agreement with your client, David Royse Ladd concerning investigations being conducted by various law enforcement agencies. In return for your client's cooperation and truthful testimony before any federal grand jury investigating illegal matters, as well as truthful testimony in any trial, including the current charge, against any defendant, or in any trial that may arise out of any case, or any investigation or related investigations in other federal districts, and his plea of guilty to the above referenced Indictment, the government will not subject him to additional federal criminal prosecutions for any criminal acts he committed in connection with such conspiracy, and will grant him immunity for the use of his disclosures and testimony. Additionally, the government agrees to advise the sentencing court, by motion before sentencing and/or after sentencing pursuant to Rule 35(b), F.R.C.P., that the defendant has made a good faith effort to provide substantial assistance (§ 5K1.1), if he has in fact done so, thereby allowing the court to a downward departure from the guidelines. The undersigned government attorney will determine whether your client has in fact cooperated as required by this agreement.

The actual sentence rendered by the district court following your client's plea of guilty remains in the sole discretion of the trial judge and the government cannot predetermine what would be the final result of the court's evaluation and decision after all factors are considered.

The assurance that your client will be granted "use" immunity and will not be subject to additional federal criminal prosecutions for such matters is being given to ensure that the government and the public will receive the full benefit of the knowledge and information in your client's possession and his complete, candid and truthful testimony concerning the activities of the individuals and the operations or entities involved in any narcotics/drug organization. Therefore, the government's representation to your client in this regard is expressly conditioned upon his complete cooperation with any and all government investigations concerning the above referenced case and other investigations and/or cases, including any criminal prosecutions that may develop or have developed therefrom. In this connection, he agrees to make himself available to federal and state law enforcement personnel for interviews as and when reasonably requested by them.

As indicated above, the government defines "cooperation" to require complete, candid and absolutely truthful disclosures by your client in response to any and all questions or

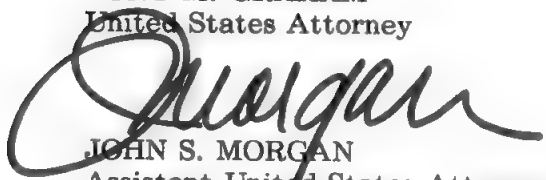
Mr. John E. Dowdell, Esq.  
January 17, 1990  
Page 3

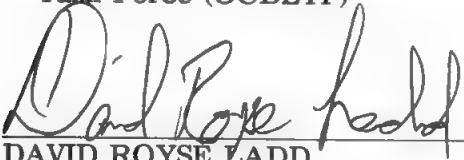
inquiries that may be put to him in connection with such investigations, actions or proceedings, whether in interviews with federal, state, or local law enforcement personnel, before a Grand Jury or at trial. Should your client's statements or testimony be false, misleading or materially incomplete, or should he knowingly fail to act with total honesty and candor in any such matter, the government will no longer be bound by its representation to him concerning his freedom from additional criminal prosecutions as set forth above. In that event, he could not only be prosecuted for any additional federal criminal offenses presently known to or hereafter discovered by the government, but also for perjury and/or false statements as well.

I trust that the foregoing accurately sets forth the terms of our agreement. If these terms are acceptable to you and your client, please indicate your acceptance by signing this letter in the spaces provided below.

Very truly yours,

TONY M. GRAHAM  
United States Attorney

  
JOHN S. MORGAN  
Assistant United States Attorney  
Organized Crime Drug Enforcement  
Task Force (OCDETF)

  
DAVID ROYSE LADD  
Defendant

  
Date

  
JOHN E. DOWDELL  
Attorney for Defendant

  
Date

JSM:kp

DALLAS NEUROLOGICAL ASSOCIATES  
299 W. CAMPBELL ROAD  
RICHARDSON, TEXAS 75080  
(214) 783-8900

December 7, 1988

RE: DAVID LADD

TO WHOM IT MAY CONCERN:

Mr. David Ladd is a patient of mine whom I have followed since 10-21-88. The diagnosis made at that time was post traumatic seizure disorder and migraine headaches. He was given prescriptions for Depakote and Vistoril at that time. Later that year Amitriptyline was added, along with occasional Tylenol #3, and then Tranxene. In March, 1988, he was admitted to the Richardson Medical Center because of a problem with sleeping more than 20 hours per day. After all medications were discontinued, he slowly became more alert and got back to a normal sleep-waking pattern and he was both headache and seizure free on Procardia, 10 mg., po tid. It was felt that he had an idiosyncratic reaction to Transxen and/or a prolonged complex migraine headache. He was later hospitalized at Southwest Methodist Hospital in Mesquite, September 19-29, when he went into status epilepticus and developed an aspiration pneumonia. He was in a coma until September 27th. Since then he had been on Depakote, 1000 mg., bid, and he has had no further seizures. Since then he has had a problem with recent memory (can't keep dates, names, appointments, recall conversations, follow instructions) which was not a problem before that. This disables him for his previous occupation (a technical service electrician), and he can't solder, shakes if he stands on a ladder. He is seeking job retraining with the Texas Employment Commission, but it is likely to be difficult for him to find employment with this degree of brain damage. He can't do fine work with his hands, can't drive a car at night, can't read for long (eyes blur, left greater than right). I feel that he is probably permanently disabled to some extent, although he may recover some of his intellectual functions slowly.

Please contact me if there are any questions.

Sincerely,



Jonathan E. Walker, M.D.

JEW/rg

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BARBARA MARTENEY,

Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)

Crim. No. 89-CR-83-04-E ✓

FILED  
1990  
Jack C. Smith  
U.S. District Court  
Northern District of Oklahoma

MEMORANDUM OF SENTENCING HEARING  
AND REPORT OF STATEMENT OF REASONS

Counsel and the Defendant were present for sentencing hearing on January 26, 1990. The matters set forth were reviewed and considered. The reasons for sentence, 18 U.S.C. 3553(c), as set forth herein, were stated in open court.

1. Was the presentence investigation report (PSI) reviewed by counsel and Defendant?<sup>1</sup>

  x   Yes        No

2. (a) Was information withheld pursuant to FRCP 32(c)(3)(A)?

       Yes   x   No

- (b) If yes, has summary been provided by the Court pursuant to FRCP 32(c)(3)(B)?

       Yes        No

3. (a) Were all factual statements contained in the PSI adopted without objection?

  x   Yes        No

---

<sup>1</sup>NOTE: Several of these questions can be addressed by attaching a partial transcript of the sentencing hearing or guideline worksheets. For other items where you need more space, please attach separate pages.

If no, the PSI was adopted in part with the exception of the following factual issues in dispute:

\*

(A copy of the adopted portions of the PSI should be attached and made part of the public record.)

(b) Disputed issues have been resolved as follows after \_\_\_\_ evidentiary hearing, \_\_\_\_ further submissions and/or \_\_\_\_ arguments:

4. Are any legal issues in dispute? \_\_\_\_ Yes x No

If yes, describe disputed issues and their resolution:

\*

5. (a) Is there any dispute as to guideline applications (such as offense level, criminal history category, fine or restitution) as stated in the PSI?

\_\_\_\_ Yes x No

If yes, describe disputed areas and their resolution:

\*

(b) Tentative findings as to applicable guidelines are:

Total Offense Level: 30  
Criminal History Category: I  
97 to 121 months imprisonment  
\* to 3 years supervised release  
\$ 17,500 to \$ 1,000,000 fine  
(plus cost of imprisonment/supervision  
\$ N/A restitution  
\$ 50 special assessment (\$50 on each of one count)

6. (a) Are there any legal objections to the tentative findings?

\_\_\_\_ Yes x No

(b) If no, the findings are adopted by the Court.

(c) If yes, describe objections and how they were addressed:

\*

7. Check appropriate space:

x Remarks by counsel for Defendant. (The order of argument and/or recommendations and allocution may be altered in accord with the Court's practice.)

x Defendant speaks on own behalf.

x Remarks by counsel for Government.

8. The sentence will be imposed in accordance with prescribed forms in Bench Book Sec. 5.02 as follows:

\_\_\_ Months imprisonment

\_\_\_ Months/intermittent community confinement

60 Months probation

\_\_\_ Months supervised release

\$ \_\_\_ Fine (including cost of imprisonment/supervision)

\$ \_\_\_ Restitution

\$ 50.00 Special assessment (\$ \_\_\_ on each of counts \_\_\_)

Other provisions of sentence (Community service, forfeiture, etc.):

\*

9. Check appropriate space:

(a) \_\_\_ The sentence is within the guideline range and that range does not exceed 24 months, and the Court finds no reason to depart from the sentence called for by application of the guidelines.

OR \_\_\_ The sentence is within the guideline range and that range exceeds 24 months, and the reasons for imposing the selected sentence are:

\*

(b) x Sentence departs from the guideline range as a result of:

x substantial cooperation upon motion of the government

OR

\_\_\_ a finding that the following (aggravating or mitigating) circumstance exists that is of a kind or degree not adequately taken into consideration by the Sentencing Commission in formulating the guidelines and that should result in a sentence different from

that described by the guidelines for the following reasons:

\*

(c) Is **restitution** applicable in this case? ☐ Yes ☒ No

Is full restitution imposed? ☐ Yes ☐ No

If no, less than full restitution is imposed for the following reasons:

\*

(d) Is a **fine** applicable in this case? ☒ Yes ☐ No

Is the fine within the guidelines imposed? ☐ Yes ☒ No

If no, the fine is not within guidelines or no fine is imposed for the following reasons:

☒ Defendant is not able, and even with the use of a reasonable installment schedule is not likely to become able, to pay all or part of the required fine; or

☐ Imposition of a fine would unduly burden the Defendant's dependents; or

☐ Other reasons as follows:

\*

10. Was a **plea agreement** submitted in this case? ☒ Yes ☐ No

Check appropriate space:

☒ The Court has accepted a Rule 11(e)(1)(A) charge agreement because it is satisfied that the agreement adequately reflects the seriousness of the actual offense behavior and accepting the plea agreement will not undermine the statutory purposes of sentencing.

☐ The Court has accepted either a Rule 11(e)(1)(B) sentence recommendation or a Rule 11(e)(1)(C) sentence agreement that is within the applicable guideline range.

☐ The Court has accepted either a Rule 11(e)(1)(B) sentence recommendation or a Rule 11(e)(1)(C) sentence agreement that departs from the applicable guideline range because the Court is satisfied that such a departure is authorized by 18 U.S.C. 3553(b).

11. Suggestions for guideline revisions resulting from this case are submitted by an attachment to this report.

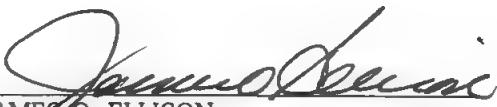
☐ Yes ☒ No

12. The PSI is to be maintained by the U.S. Probation Office under seal. Those sections

adopted and incorporated as part of this statement of reasons will be part of the public record.

13. The Clerk shall prepare the judgment.
14. The Clerk will provide this Memorandum of Sentencing Hearing and Report of Statement of Reasons to the U.S. Probation Department for forwarding to the Sentencing Commission, and if the above sentence includes a term of imprisonment, to the Bureau of Prisons.

DATED this 15 day of January, 1990.

  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE



# United States District Court

NORTHERN

District of

OKLAHOMA

FILED

JAN 1 1990

 Jack C. Silver, Clerk  
 U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

## JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

Barbara Marteney

Case Number 89-CR-083-004-E ✓

(Name of Defendant)

Ronald Bennett

Defendant's Attorney

### THE DEFENDANT:

- ☒ pleaded guilty to count(s) One
- ☐ was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
21 USC 846		
21 USC 841(a)(1)	Conspiracy to Manufacture and Possess With Intent to Distribute Methamphetamine	One

The defendant is sentenced as provided in pages 2 through 3 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) \_\_\_\_\_, and is discharged as to such count(s).
- ☐ Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.
- ☐ The mandatory special assessment is included in the portion of this Judgment that imposes a fine.
- ☒ It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:

511-60-0776

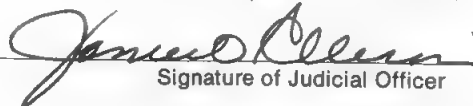
Defendant's mailing address:

406 South AcresDallas, Texas 75127

Defendant's residence address:

SameJanuary 26, 1990

Date of Imposition of Sentence



Signature of Judicial Officer

James O. Ellison, U. S. District Judge

Name &amp; Title of Judicial Officer

January 26, 1990

Date

Judgment—Page 2 of 3

Defendant: Marteney, Barbara  
Case Number: 89-CR-083-004-E

**PROBATION**

The defendant is hereby placed on probation for a term of Five (5) years .

While on probation, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this Judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

You shall participate in substance abuse counseling and screening as directed by the United States Probation Office.

Defendant: Marteney, Barbara  
Case Number: 89-CR-083-004-E

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall submit to urinalysis as directed by the U. S. Probation Office.  
These conditions are in addition to any other conditions imposed by this Judgment.
- 16) the defendant shall not possess a firearm or other dangerous weapon without the permission of the U. S. Probation Office.

# United States District Court

FILED

NOV 24 1989

NORTHERN District of OKLAHOMA

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

## JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

Michael Steven Hall

Case Number 89-CR-083-006-E ✓

(Name of Defendant)

David Booth

Defendant's Attorney

### THE DEFENDANT:

- ☒ pleaded guilty to count(s) Count One of a Single Count Indictment  
☐ was found guilty on count(s) \_\_\_\_\_ after a  
 plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Count Number(s)
21 USC 846 & 841(a)(1)	Conspiracy to Manufacture, Possession With Intent to Distribute Methamphetamine	Count One

FILED

JAN 31 1991

Jack C. Silver, Clerk  
U. S. DISTRICT COURTThe defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) \_\_\_\_\_, and is discharged as to such count(s).  
☐ Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.  
☐ The mandatory special assessment is included in the portion of this Judgment that imposes a fine.  
☒ It is ordered that the defendant shall pay to the United States a special assessment of \$50, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:

509-58-7954

Defendant's mailing address:

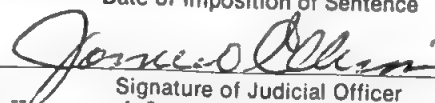
1619 East 10th StreetNewton, Kansas 67114

Defendant's residence address:

Same as above

November 21, 1989

Date of Imposition of Sentence



Signature of Judicial Officer

The Honorable James O. Ellison  
United States District Judge

Name &amp; Title of Judicial Officer

Date

Defendant: **Michael Steven Hall**  
Case Number: **89-CR-083-006-E**

Judgment—Page 2 of 4**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of One year and one day.

☐ The Court makes the following recommendations to the Bureau of Prisons:

- ☐ The defendant is remanded to the custody of the United States Marshal.  
☐ The defendant shall surrender to the United States Marshal for this district,

☐ at \_\_\_\_\_ a.m.  
☐ at \_\_\_\_\_ p.m. on \_\_\_\_\_.

☐ as notified by the Marshal.

☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons

☒ before ~~2 p.m.~~ 12 noon on January 2, 1990.

- ☐ as notified by the United States Marshal.  
☐ as notified by the Probation Office.

**RETURN**

I have executed this Judgment as follows:

Voluntary Surrender

Defendant delivered on 1-2-90 to Federal Prison Camp at El Reno, OK, with a certified copy of this Judgment.

R. P. Acuff, Warden  
United States Marshal  
By CPM Murrey, TSS  
Deputy Marshal

Defendant: **Michael Steven Hall**  
Case Number: **89-CR-083-006-E**

### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_

Five (5) years

While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

N/A

Defendant: **Michael Steven Hall**  
Case Number: **89-CR-083-006-E**

United States District Court ) SS  
Northern District of Oklahoma )  
I hereby certify that the foregoing  
Is a true copy of the original on file  
in this Court.

Jack C. Silver, Clerk

By

Deputy

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall not possess a firearm or any other dangerous weapon.  
These conditions are in addition to any other conditions imposed by this Judgment.
- 16) The defendant shall submit to urinalysis as directed by the probation office.

MINUTE SHEET - SENTENCING

CR. CASE NO. 89-CR-83-4-E

DATE 1/26/90 USA vs. Barbara Ann Martiney (AGE)           

SENTENCING

JUDGE COOK <u>          </u>	Deputy R. Miller <u>          </u>	Reporter Simpson <u>          </u>
JUDGE ELLISON <u>✓</u>	Deputy McCullough <u>          </u>	Reporter Dorrough <u>          </u>
JUDGE BRETT <u>          </u>	Deputy Overton <u>          </u>	Reporter Caslavka <u>          </u>
JUDGE <u>          </u>	Deputy <u>          </u>	Reporter <u>          </u>

Counsel for Plaintiff J. Morgan ✓  
Counsel for Defendant Ken Bennett ✓  
Retained; Court Appointed; FPD

MINUTE: Enter as above.

☒ Defendant appears in person with counsel. Counsel waived.  
☒ Defendant and counsel asked if they care to say anything before sentence is pronounced, and no cause to the contrary being shown,  
Sentenced to the custody of    as to Counts           

☒ Imposition of sentence suspended - Probation 5 yrs as to Counts 1  
#50 S. A.

Prob. sup w/B transferred to Dallas, Tx  
18:3553 Findings re PSI/Sentence made, Transcript Ordered

Sentence re: Guidelines; within same; Departure; Upward/Downward,  
Findings Made  
Bond Exonerated.

Defendant advised of right to appeal.     
Defendant gives oral notice of appeal.     
Appeal bond set at     
(cash or surety)  
Remanded to custody of U. S. Marshal.   

ADDITIONAL MINUTES:     
Dist. not departure from Guidelines - granted  
    
    
    
  

VB  
9-11-94



4

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

BARBARA ANN MARTENEY,  
Defendant.

FILED

JAN 19 1990 dk

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

No. 89-CR-83-04-E ✓

SUBSTANTIAL ASSISTANCE MOTION

Comes now the government and advises the Court that the above defendant pleaded guilty herein on the 29th day of November, 1989. Her sentencing is currently scheduled for January 26, 1990 at 1:15 p.m.

This defendant, Barbara Ann Marteney, has made a good faith effort to provide substantial assistance in the investigation and/or prosecution of other persons who have committed federal offenses.

Pursuant to the provisions of the Sentencing Guidelines § 5K1.1, the government moves for the Court to depart from the guidelines to grant this defendant an appropriate reduction in sentence.

Reasons for the Court to consider such a downward departure, is the conduct of the defendant, which conduct, for

security reasons, should be presented in camera, to the Court at time of sentencing, or any other time so ordered.

Respectfully submitted,

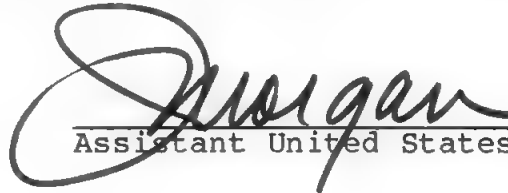
TONY M. GRAHAM  
United States Attorney



JOHN S. MORGAN  
Assistant United States Attorney  
3600 U.S. Courthouse  
333 West 4th Street  
Tulsa, Oklahoma 74103  
(918) 581-7463

CERTIFICATE OF SERVICE

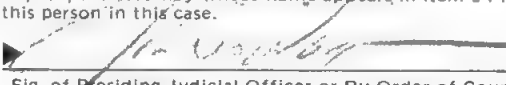
This is to certify that on the 19 day of January, 1990, a true and correct copy of the foregoing motion was mailed, postage prepaid thereon, to Ronald Bennett, Esq., 16 East 16th Street, Ste. 200, Tulsa, OK 74119.



Assistant United States Attorney


JSM:kp

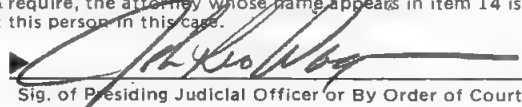

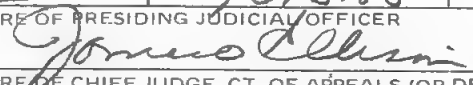
CJA 20 (Int. - 1/88) **APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL**

1. JURISDICTION 1 <input type="checkbox"/> MAG. 2 <input checked="" type="checkbox"/> DIST. 4 <input type="checkbox"/> OTHER		3 <input type="checkbox"/> APPEALS 4 <input type="checkbox"/> OTHER		2. MAG. DOCKET NO.		3. DIST. CT. SET NO. <b>89-CR-3-E</b>		VOUCHER NO. <b>0154519</b>					
4. APPEALS DOCKET NO.		5. FOR (DISTRICT/CIRCUIT) <b>ND OKLAHOMA</b>		6. LOC. CODE <b>OKNTU</b>		7. CHARGE/OFFENSE (U.S. or other) <b>21:846; 841(a)(1)</b>			7A. CASE CODE <b>68</b>				
8. IN THE CASE OF <b>U.S.A.</b> vs <b>THIMMESCH</b>					9. PERSON REPRESENTED (FULL NAME) <b>KENT PATRICK THIMMESCH</b>					9A. NO. REPRESENTED <b>1</b>			
10. PERSON REPRESENTED (STATUS) 1 <input checked="" type="checkbox"/> DEFENDANT-ADULT 3 <input type="checkbox"/> APPELLANT 5 <input type="checkbox"/> OTHER 2 <input type="checkbox"/> DEFENDANT-JUVENILE 4 <input type="checkbox"/> APPELLEE					11. PROCEEDINGS (Describe briefly) <b>All Proceedings</b>								
12. PAYMENT CATEGORY A <input checked="" type="checkbox"/> FELONY C <input type="checkbox"/> PETTY OFFENSE E <input type="checkbox"/> OTHER B <input type="checkbox"/> MISDEMEANOR D <input type="checkbox"/> APPEAL													
13. COURT ORDER O <input checked="" type="checkbox"/> Appointing Counsel F <input type="checkbox"/> Subs. for FD P <input type="checkbox"/> Subs. for Panel Atty. C <input type="checkbox"/> Co-Counsel R <input type="checkbox"/> Subs. for Retained Atty. Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in item 14 is appointed to represent this person in this case.   Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy)  <b>August 16, 1989</b> Date of Order  Nunc Pro Tunc Date												14. NAME OF ATTORNEY/PAYEE AND MAILING ADDRESS <b>Jo Stanley Glenn</b> <b>1154 E. 61st</b> <b>Tulsa, OK 74105</b>	
						15. TELEPHONE NO. <b>(918) 749-5531</b>		16. SOC. SEC. NO. <b>448-52-4877</b>					

**CLAIM FOR SERVICES OR EXPENSES**

		SERVICE	HOURS	DATES	
IN COURT	17. a.	Arraignment and/or Plea			Multiply rate per hour times total hours to obtain "In Court" compensation.  Enter total below.
	b.	Bail and Detention Hearings			
	c.	Motions Hearings			
	d.	Trial			
	e.	Sentence Hearings			
	f.	Revocation Hearings			
	g.	Appeals Court			
	h.	Other (Specify on additional sheets)			
		(Rate per hour = <b>\$60</b> ) TOTAL HOURS =			17A. TOTAL IN COURT COMP. \$
OUT OF COURT	18. a.	Interviews and conferences			Multiply rate per hour times total hours. Enter total "out of court" compensation below.
	b.	Obtaining and reviewing records			
	c.	Legal research and brief writing			
	d.	Travel time (Specify on additional sheets)			
	e.	Investigative and other work (Specify on additional sheets)			
		(Rate per hour = <b>\$40</b> ) TOTAL HOURS =			
EXPENSES	19. TRAVEL, LODGING, MEALS ETC.	AMOUNT	OTHER EXPENSES	AMOUNT	19A. TOTAL TRAVEL EXP.
					\$
					19B. TOTAL OTHER EXP.
					\$
					20. GRAND TOTAL CLAIMED
					\$

21. CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD _____ TO _____ F <input checked="" type="checkbox"/> Final Payment I <input type="checkbox"/> Interim Payment No. _____ Has compensation and/or reimbursement for work in this case previously been applied for? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, by whom were you paid? _____ How much? _____ Has the person represented paid any money to you, or to your knowledge to anyone else, in connection with the matter for which you were appointed to provide representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements				
SIGNATURE OF ATTORNEY/PAYEE _____ DATE _____				
22. IN COURT COMP. \$ <b>372</b>	23. OUT OF COURT COMP. \$ <b>1,016.00</b>	24. TRAVEL EXPENSE \$	25. OTHER EXPENSES \$	26. TOTAL AMT. APPROVED/CEPT. \$ <b>1,472.00</b>
27. SIGNATURE OF PRESIDING JUDICIAL OFFICER 			DATE <b>8/16/89</b>	27A. JUDGE/MAG. CODE <b>2511</b>
28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR DELEGATE)			DATE	29. TOTAL AMT. APPROVED \$

1. JURISDICTION 1 <input type="checkbox"/> MAG. 2 <input checked="" type="checkbox"/> DIST. 3 <input type="checkbox"/> APPEALS 4 <input type="checkbox"/> OTHER		2. MAG. DOCKET NO.		3. DIST. CT. .KET NO. 89-CR-83-E		VOUCHER NO. 0154519	
4. APPEALS DOCKET NO.		5. FOR (DISTRICT/CIRCUIT) ND OKLAHOMA		6. LOC. CODE OKNTU		7. CHARGE/OFFENSE (U.S. or other code citation) 21:846; 841(a)(1)	
8. IN THE CASE OF U.S.A. vs THIMMESCH		9. PERSON REPRESENTED (FULL NAME) KENT PATRICK THIMMESCH				7A. CASE CODE 68	
10. PERSON REPRESENTED (STATUS) 1 <input checked="" type="checkbox"/> DEFENDANT-ADULT 3 <input type="checkbox"/> APPELLANT 5 <input type="checkbox"/> OTHER 2 <input type="checkbox"/> DEFENDANT-JUVENILE 4 <input type="checkbox"/> APPELLEE				11. PROCEEDINGS (Describe briefly)  All Proceedings			
12. PAYMENT CATEGORY A <input checked="" type="checkbox"/> FELONY C <input type="checkbox"/> PETTY OFFENSE E <input type="checkbox"/> OTHER B <input type="checkbox"/> MISDEMEANOR D <input type="checkbox"/> APPEAL							
13. COURT ORDER O <input checked="" type="checkbox"/> Appointing Counsel F <input type="checkbox"/> Subs. for FD P <input type="checkbox"/> Subs. for Panel Atty. C <input type="checkbox"/> Co-Counsel R <input type="checkbox"/> Subs. for Retained Atty. Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in item 14 is appointed to represent this person in this case.   Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy)							
14. NAME OF ATTORNEY/PAYEE AND MAILING ADDRESS  Jo Stanley Glenn 1154 E. 61st Tulsa, OK 74105				15. TELEPHONE NO. (918) 749-5531			
16. SOC. SEC. NO. 448-52-4877				17. August 16, 1989 Date of Order			
<b>CLAIM FOR SERVICES OR EXPENSES</b>							
SERVICE		HOURS		DATES		Multiply rate per hour times total hours to obtain "In Court" compensation.	
17. a. Arraignment and/or Plea		2.2		8/16/89 8/21/89		Enter total below.	
b. Bail and Detention Hearings							
c. Motions Hearings		3.0		9/11/89 10/17/89			
d. Trial							
e. Sentence Hearings							
f. Revocation Hearings							
g. Appeals Court							
h. Other (Specify on additional sheets) Extradition		1.0		10/25/89		17A. TOTAL IN COURT COMP.	
(Rate per hour = \$60 ) TOTAL HOURS =		6.2				\$ 372.00	
18. a. Interviews and conferences		9.7				Multiply rate per hour times total hours. Enter total "out of court" compensation below.	
b. Obtaining and reviewing records		3.7					
c. Legal research and brief writing		2.0					
d. Travel time (Specify on additional sheets)		8.0					
e. Investigative and other work (Specify on additional sheets)		2.0					
(Rate per hour = \$40 ) TOTAL HOURS =		25.4				18A. TOTAL OUT OF COURT COMPENSATION	
						\$ 1016.00	
19. TRAVEL, LODGING, MEALS ETC.		AMOUNT		OTHER EXPENSES		AMOUNT	
Mileage 242 x .225		54.45				19A. TOTAL TRAVEL EXP.	
Hotel		30.00				\$	
						19B. TOTAL OTHER EXP.	
						\$ 84.45	
						20. GRAND TOTAL CLAIMED	
						\$ 1472.45	
21. CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD _____ TO _____ F <input checked="" type="checkbox"/> Final Payment I <input type="checkbox"/> Interim Payment No. _____ Has compensation and/or reimbursement for work in this case previously been applied for? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, by whom were you paid? _____ How much? _____ Has the person represented paid any money to you, or to your knowledge to anyone else, in connection with the matter for which you were appointed to provide representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements Signature of Attorney/Payee:  Date: 11/16/90							
22. IN COURT COMP. \$ 372		23. OUT OF COURT COMP. \$ 1016.00		24. TRAVEL EXPENSE \$		25. OTHER EXPENSES \$ 84.45	
26. TOTAL AMT. APPROVED/CERT. \$ 1472.45		27. SIGNATURE OF PRESIDING JUDICIAL OFFICER 		DATE 1/22/90		27A. JUDGE/MAG. CODE 8511	
28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR DELEGATE)				DATE		29. TOTAL AMT. APPROVED \$	

FEDERAL PUBLIC DEFENDER  
WESTERN, NORTHERN AND EASTERN DISTRICTS OF OKLAHOMA

DAVID BOOTH  
FEDERAL PUBLIC DEFENDER

SUSAN OTTO  
SUPERVISORY ASSISTANT  
FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT ☒  
SUITE 524, 215 DEAN A. MCGEE  
OKLAHOMA CITY, OKLAHOMA 73102  
(405) 231-5725 FTS 736-5725

NORTHERN AND EASTERN DISTRICTS ☐  
222 SOUTH HOUSTON, SUITE C  
TULSA, OKLAHOMA 74127  
(918) 581-7656 FTS 745-7656

January 18, 1990

Honorable James O. Ellison  
United States District Judge  
for the Northern District of Oklahoma  
Attn: Ms. Rosanne Miller  
411 United States Courthouse  
333 West 4th Street  
Tulsa, Oklahoma 74103

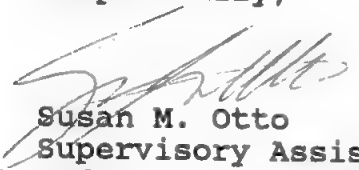
Re: United States of America vs. Thimmesch, Kent Patrick  
Case No. 89-CR-83-E  
CJA Voucher No. 0154519

Dear Judge Ellison:

Ms. Jo Stanley Glenn, attorney at law, was appointed to represent Kent Patrick Thimmesch in the above referenced cause.

Ms. Glenn informed me she has completed her services in this matter. She submitted her CJA-20 to me in order that I might review it for its technical and mathematical accuracy. I have reviewed the voucher and it appears to be in good order. Therefore, I am sending the voucher to you for your consideration.

Respectfully,

  
Susan M. Otto  
Supervisory Assistant  
Federal Public Defender

SMO:jtt

Enclosure: CJA-20 Voucher and supporting documents

cc: Ms. Jo Stanley Glenn

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

1990 8

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LOREN EUGENE HALL, SR.,  
et al.,

Defendants.

No. 89-CR-83-05-E

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

ORDER

The Court, having examined the reasons set forth by the Defendant David Royse Ladd for continuance, and the Plaintiff having no objections thereto, finds that said continuance should be granted for the reasons set forth by the Defendant; and that the ends of justice are served by granting the continuance; and that the ends of justice outweigh the best interest of the public in a speedy trial.

The jury trial, <sup>of David Royse Ladd</sup> heretofore set for January 16, 1990 is stricken and reset for March 19, 1990, 9:30 A.M.. The period between January 16, 1990 and March 19, 1990 shall be considered excludable under the provisions of the Speedy Trial Act, Title 18, U.S.C. §3161(h)(8). Pretrial, motion hearing &/Or Change of plea is reset March 2, 1990, 1:00 P.M. Requested instructions are due March 12, 1990.  
ORDERED this 5th day of January, 1990.

  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

JAN 2 1990

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

No. 89-CR-83-E ✓

LORAN EUGENE HALL, SR., KENT  
PATRICK THIMMESCH a/k/a PAUL  
RICHARD LASSLEY, LOREN EUGENE  
HALL, JR., BARBARA ANN  
MARTENEY, DAVID ROYSE LADD and  
MICHAEL STEVEN HALL,  
Defendants.

DEFENDANT LADD'S APPLICATION TO  
RESCHEDULE TRIAL DATE, AND RELATED  
DEADLINES, AND SUPPORTING BRIEF

The defendant, David Royse Ladd ("Ladd"), hereby respectfully requests that this Court reschedule the trial in this case, presently set for January 16, 1990. In addition, the defendant requests that the related deadlines scheduled for January 3 at 1:00 p.m. (pretrial, motions hearing and/or change of plea) and January 9 (requested instructions, voir dire and trial briefs) be rescheduled. In support of this Application, Ladd states:

1. The undersigned counsel was appointed to represent Ladd on Tuesday, November 28, 1989. Ladd resides in Canton, Ohio.

2. Ladd and defense counsel met for the first time the day after counsel's appointment -- November 29. The meeting lasted approximately two (2) hours. Ladd returned (by bus) to his home in Ohio that afternoon.

3. Because of the distance between Ladd and his counsel, opportunities to meet and examine the facts and circumstances of the crime charged have been limited to the one brief meeting referenced above. This situation is exacerbated by the defendant's indigence.

4. The holiday season and counsel's previously scheduled commitments to discovery in other matters have further limited the opportunity for communication between Mr. Ladd and his counsel.

5. On Friday, December 29, 1989, Ladd filed a Waiver of Speedy Trial pursuant to the provisions of 18 U.S.C. §3161, et seq., waiving his right to a speedy trial under the Speedy Trial Act. Ladd and his counsel thereby seek additional, necessary time to adequately prepare for trial of this case.

6. The government's counsel has been consulted and has no objection to this extension application.

7. Preliminary discovery motions have been filed by the defendant and the government has responded to those motions. The related deadlines scheduled for January 3 (pretrial, motions hearing and/or change of plea) and January 9 (requested instructions, voir dire and trial briefs) should also be rescheduled to dates consistent with a new trial date.

8. Defendant Ladd submits that the trial should be rescheduled on a date no less than sixty (60) to ninety (90) days in the future.

WHEREFORE, the defendant, David Royse Ladd, hereby



respectfully requests that the trial date in this matter, presently scheduled for January 16, 1990, be rescheduled for a date at least sixty (60) to ninety (90) days in the future and that the related deadlines of January 3, 1990 (pretrial, motions hearing and/or change of plea) and January 9 (requested instructions, voir dire and trial briefs) be rescheduled to dates consistent with the newly scheduled trial date.

Respectfully submitted,



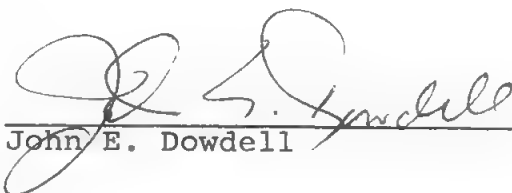
John E. Dowdell, OBA #2460  
NORMAN & WOHLGEMUTH  
2900 Mid-Continent Tower  
Tulsa, Oklahoma 74103  
(918) 583-7571

Attorney for Defendant,  
David Royse Ladd

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of January, 1990, a true and correct copy of the above and foregoing instrument was hand-delivered to:

John S. Morgan, Esq.  
Assistant United States Attorney  
United States Courthouse  
333 W. Fourth Street  
Tulsa, OK 74103



John E. Dowdell

FILED

DEC 29 1989 *dt*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

No. 89-CR-83-E ✓

DAVID ROYSE LADD, )

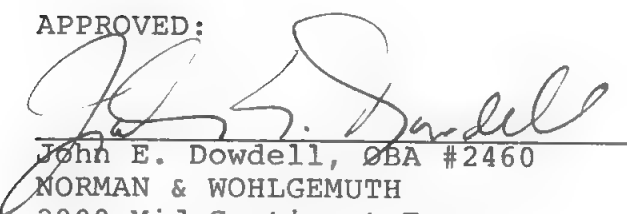
Defendant. )

WAIVER OF SPEEDY TRIAL

COMES NOW the Defendant, David Royse Ladd, and hereby waives his right to a speedy trial under the Speedy Trial Act, 18 U.S.C. §3161, et. seq., for the period of time necessary to adequately prepare for trial so that my counsel in this matter, John E. Dowdell, will have ample opportunity to investigate this matter and adequately prepare for the trial of this case.

  
\_\_\_\_\_  
DAVID ROYSE LADD

APPROVED:

  
\_\_\_\_\_  
John E. Dowdell, OBA #2460  
NORMAN & WOHLGEMUTH  
2900 Mid-Continent Tower  
Tulsa, Oklahoma 74103  
(918) 583-7571

Attorney for Defendant,  
David Royse Ladd

CERTIFICATE OF MAILING

I, John E. Dowdell, hereby certify that on the 29th day of December, 1989, I mailed a true and correct copy of the above and foregoing instrument to:

John S. Morgan, Esq.  
Assistant United States Attorney  
United States Courthouse  
333 W. Fourth Street  
Tulsa, OK 74103

by depositing said copy in the U.S. mail, postage prepaid thereon.

  
\_\_\_\_\_  
John E. Dowdell

FILED

DEC 28 1989

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
LOREN EUGENE HALL, JR., et al. )  
 )  
Defendants. )

Case No. 89-CR-83-E ✓

ORDER FOR TRANSPORTATION

Upon consideration of the Defendant, Loren Eugene Hall, Jr.'s, unopposed Motion For Transportation Assistance, the Court finds that said request should be granted.

The Court finds that the Defendant be ordered to report to the ~~nearest~~ <sup>Tulsa, Oklahoma</sup> United States Marshal's Office in ~~the State of Kansas~~ prior to the date of surrender in order that he may be transported to the Federal Correctional Institution in Milan, Michigan for service of his sentence, beginning 12:00 noon on January 2, 1990.

IT IS SO ORDERED this 28 day of December, 1989.

  
THOMAS R. BRETT, *for James O. Ellison*  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 26 1989

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 89-CR-83-E ✓

LORAN EUGENE HALL, SR.,  
KENT PATRICK THIMMESCH a/k/a  
PAUL RICHARD LASSLEY,  
LOREN EUGENE HALL, JR.,  
BARBARA ANN MARTENEY,  
DAVID ROYSE LADD, and  
MICHAEL STEVEN HALL,

Defendants.

MOTION FOR TRANSPORTATION ASSISTANCE

COMES NOW the Defendant, Loren Eugene Hall, Jr., and respectfully requests this Court for transportation assistance through the United States Marshal's Office. As grounds for said request the Defendant would state:

1. That this Honorable Court did, on the 21st day of November, 1989, impose a sentence of sixteen (16) months in custody of the United States Bureau of Prisons.

2. That the Defendant was ordered to surrender to the Bureau of Prisons in Milan, Michigan, on the 2nd day of January, 1990, 12:00 noon.

3. That this Defendant lives in Derby, Kansas and is unable to pay for the transportation expense from Derby, Kansas to Milan, Michigan.

4. The Defendant respectfully requests an Order of the Court that he be allowed to report to the nearest United States Marshal's Office prior to the date of surrender, in order that he may be transported to the Federal Correctional Institution in Milan, Michigan.

No objection per Mr. Heslet

CERTIFICATE OF DELIVERY

I hereby certify that on this 26 day of Dec., 1989 I delivered a true and correct copy of the attached and foregoing Motion For Transportation Assistance to the United States District Attorney's Office, United States Courthouse, 333 West Fourth Street, Tulsa, Oklahoma.

  
\_\_\_\_\_  
Jim H. Heslet

## CJA 20 (int. - 1/88) APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL

1. JURISDICTION 1 <input type="checkbox"/> MAG. 2 <input checked="" type="checkbox"/> DIST. 4 <input type="checkbox"/> OTHER		3 <input type="checkbox"/> APPEALS 4 <input type="checkbox"/> OTHER		2. MAG. DOCKET NO.		3. DIST. CT. KEY NO.		VOUCHER NO. 0154502	
4. APPEALS DOCKET NO.		5. FOR (DISTRICT/CIRCUIT) ND OKLAHOMA		6. LOC. CODE OKNTU		7. CHARGE/OFFENSE (U.S. or other code/citation) 21:846,841(a)(1)		7A. CASE CODE 68	
8. IN THE CASE OF U.S.A. VS HALL						9. PERSON REPRESENTED (FULL NAME) LORAN EUGENE HALL, JR.			9A. NO. REPRES. 1
10. PERSON REPRESENTED (STATUS) 1 <input checked="" type="checkbox"/> DEFENDANT-ADULT 3 <input type="checkbox"/> APPELLANT 5 <input type="checkbox"/> OTHER 2 <input type="checkbox"/> DEFENDANT-JUVENILE 4 <input type="checkbox"/> APPELLEE						11. PROCEEDINGS (Describe briefly) All Proceedings			
12. PAYMENT CATEGORY A <input checked="" type="checkbox"/> FELONY C <input type="checkbox"/> PETTY OFFENSE E <input type="checkbox"/> OTHER B <input type="checkbox"/> MISDEMEANOR D <input type="checkbox"/> APPEAL									

## 13. COURT ORDER

O ☒ Appointing Counsel F ☐ Subs. for FD P ☐ Subs. for Panel Atty.

Name of prior panel attorney

C ☐ Co-Counsel R ☐ Subs. for Retained Atty.

Appt. Date

Voucher No.

Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in item 14 is appointed to represent this person in this case.

## 14. NAME OF ATTORNEY/PAYEE AND MAILING ADDRESS

Jim Heslet  
5561 S. Lewis, Ste. 200  
Tulsa, OK 74105

## 15. TELEPHONE NO.

(918) 747-1058

## 16. SOC. SEC. NO.

444-40-4001

LJW Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy)

July 20, 1989

Date of Order

Nunc Pro Tunc Date

## CLAIM FOR SERVICES OR EXPENSES

SERVICE		HOURS	DATES		
IN COURT	a. Arraignment and/or Plea	2.5	7/20/89, 9/11/89	Multiply rate per hour times total hours to obtain "In Court" compensation.  Enter total below.	
	b. Bail and Detention Hearings	2.0	7/31/89, 8/28/89		
	c. Motions Hearings				
	d. Trial				
	e. Sentence Hearings	1.0	11/21/89		
	f. Revocation Hearings				
	g. Appeals Court				
	h. Other (Specify on additional sheets)				
(Rate per hour = \$60 ) TOTAL HOURS =		5.5		17A. TOTAL IN COURT COMP.  \$ 330.00	
OUT OF COURT	a. Interviews and conferences	36.0	7/20 thru 11/30/89	Multiply rate per hour times total hours. Enter total "out of court" compensation below.	
	b. Obtaining and reviewing records	9.5	7/20 thru 11/30/89		
	c. Legal research and brief writing	15.5	7/27 thru 9/8/89		
	d. Travel time (Specify on additional sheets)	12.0	7/20 thru 11/21/89		
	e. Investigative and other work (Specify on additional sheets)				
	(Rate per hour = \$40 ) TOTAL HOURS =	73.0			18A. TOTAL OUT OF COURT COMPENSATION  \$ 2,920.00
EXPENSES	19. TRAVEL, LODGING, MEALS ETC.	AMOUNT	OTHER EXPENSES	AMOUNT	19A. TOTAL TRAVEL EXP.  \$ 52.65  19B. TOTAL OTHER EXP.  \$ 30.26  20. GRAND TOTAL CLAIMED  \$ 3,332.91
	Travel	52.65	Parking	15.00	
			Long Dist. Charges	15.26	

## 21. CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD

TO

F ☒ Final Payment I ☐ Interim Payment No.Has compensation and/or reimbursement for work in this case previously been applied for? ☐ YES ☒ NOIf yes, were you paid? ☐ YES ☐ NO If yes, by whom were you paid?

How much?

Has the person represented paid any

money to you, or to your knowledge to anyone else, in connection with the matter for which you were appointed to provide representation? ☐ YES ☒ NO

If yes, give details on additional sheets.

I swear or affirm the truth or correctness of the above statements

SIGNATURE OF ATTORNEY/PAYEE

DATE

APPROVED FOR PAYMENT	22. IN COURT COMP. \$ 330.00	23. OUT OF COURT COMP. \$ 2,920.00	24. TRAVEL EXPENSE \$ 52.65	25. OTHER EXPENSES \$ 30.26	26. TOTAL AMT. APPROVED/CERT. \$ 3,332.91
	27. SIGNATURE OF PRESIDING JUDICIAL OFFICER <i>[Signature]</i>				27A. JUDGE/MAG. CODE 8511
	28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR DELEGATE) <i>[Signature]</i>				29. TOTAL AMT. APPROVED \$

OK JS

**FEDERAL PUBLIC DEFENDER**  
WESTERN, NORTHERN AND EASTERN DISTRICTS OF OKLAHOMA

DAVID BOOTH  
FEDERAL PUBLIC DEFENDER

SUSAN OTTO  
SUPERVISORY ASSISTANT  
FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT ✓  
SUITE 524, 215 DEAN A. MCGEE  
OKLAHOMA CITY, OKLAHOMA 73102  
(405) 231-5725 FTS 736-5725

NORTHERN AND EASTERN DISTRICTS  
222 SOUTH HOUSTON, SUITE C  
TULSA, OKLAHOMA 74127  
(918) 581-7656 FTS 745-7656

December 15, 1989

Honorable James O. Ellison  
United States District Judge  
for the Northern District of Oklahoma  
Attn: Ms. Rosanne Miller  
411 United States Courthouse  
333 West 4th Street  
Tulsa, Oklahoma 74103

Re: United States of America vs. Hall, Loran Eugene, Jr.  
Case No. 89-CR-83-01-E  
CJA Voucher No. 0154502

Dear Judge Ellison:

Mr. Jim Heslet, attorney at law, was appointed to represent Loran Eugene Hall, Jr. in the above referenced cause.

Mr. Heslet informed me he has completed his services in this matter. He submitted his CJA-20 to me in order that I might review it for its technical and mathematical accuracy. I have reviewed the voucher and it appears to be in good order. Therefore, I am sending the voucher to you for your consideration.

Respectfully,



Susan M. Otto  
Supervisory Assistant  
Federal Public Defender

SMO:jtt

Enclosure: CJA-20 Voucher and supporting documents

cc: Mr. Jim Heslet



Figure 1. Schematic diagram of the experimental setup. The subject is seated in a chair and views the screen through a mirror. The screen displays the target (a red dot) and the starting position (a black dot). The subject's hand is positioned at the starting position. The distance between the starting position and the target is 10 cm. The subject is instructed to move the hand from the starting position to the target. The distance between the starting position and the target is 10 cm. The subject is instructed to move the hand from the starting position to the target. The distance between the starting position and the target is 10 cm.

ad

) ) ) ) ) ) ) ) )

) )

)

)

)

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT



I.

Since the defendant is requesting information under Rule 16(a)(1)(C) or (D) of the Federal Rules of Criminal Procedure, the government requests reciprocal discovery under the provisions of Rule 16(b)(1). The government respectfully requests the court to order compliance by defendant with the reciprocal discovery provisions of Rule 16(b) and the continuing duty under Rule 16(c).

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED  
DEC 11 1989

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
LORAN EUGENE HALL, SR., KENT )  
PATRICK THIMMESCH a/k/a PAUL )  
RICHARD LASSLEY, LOREN EUGENE )  
HALL, JR., BARBARA ANN )  
MARTENEY, DAVID ROYSE LADD and )  
MICHAEL STEVEN HALL, )  
 )  
Defendants. )

No. 89-CR-83-E ✓

DEFENDANT DAVID ROYSE LADD'S MOTION AND BRIEF TO  
COMPEL DISCLOSURE OF IDENTITIES OF  
INDIVIDUALS FURNISHING NONPRIVILEGED INFORMATION

Defendant David Royse Ladd ("Ladd"), through counsel, moves the Court to order the disclosure of (1) the identities and addresses of any persons who have furnished nonprivileged information relating to the Counts (separately or in combination) of this indictment to any law enforcement officer or government official and (2) the identities and addresses of any persons known to any officer or official to have any knowledge about any matter related to the Counts of the indictment. See Roviario v. United States, 353 U.S. 53, 6061 (1957) (absent clear need to protect informers, disclosure of "relevant and helpful" information must be made).

If the United States of America (the "government") cannot reveal the informers' identities, Ladd moves the Court to

Plaintiff will comply with Rule 16(a)(1)(A) of the Federal Rules of Criminal Procedure, which basically provides that the government provide copies of all relevant written or recorded statements by the defendant, including the substances of any oral statements, made in response to interrogation by any person then known to the defendant to be a government agent.

The plaintiff will comply with the requirement of the Jencks Act, 18 U.S.C. §3500, and will provide any such items sufficiently prior to the testimony of the witness, so that trial is not delayed.

The government declines to produce a pretrial list of its witnesses. The names and addresses of potential government witnesses are not discoverable before trial, except in treason or capital offense cases. 18 U.S.C. §3432; United States v. Baca, 494 F.2d 424, 427 (10th Cir. 1974); United States v. Seasholtz, 435 F.2d 4 (10th Cir. 1970); Nipp v. United States, 422 F.2d 509 (10th Cir. 1969); cert. denied, 397 U.S. 1008; United States v. Gleeson, 411 F.2d 1091 (10th Cir. 1969); Edmondson v. United States, 402 F.2d 809 (10th Cir. 1969).

Transcript of testimony of witnesses who appeared before the grand jury, would only be producible under the Jencks Act, 18 U.S.C. §3500, subject to the court's ruling that it was relevant and should be released under Rule 6(e), Federal Rules of Criminal Procedure. A court order would be required before such statements can be turned over to defense counsel, even under the Jencks Act.

Any evidence to be introduced at trial, including photos and charts of items seized and inventories thereof, as a result of search warrants, surveillance by telephone conversation recordings, wire interception of other electronic means, which will be introduced in evidence or is otherwise pertinent, will be furnished to defense counsel prior to trial for inspection or copying, if any.

## II.

### Motion for Disclosure of Government's Intention to Use Evidence

As stated above all evidence to be introduced is available for inspection by defense counsel whenever he notifies the U.S. Attorney's Office if he desire to arrange an appointment.

There does not appear to be any evidence obtained from defendant which would entitle him to move to suppress.

## III.

### Motion to Compel Disclosure of The Existence and Substance of Promises of Immunity, Leniency or Preferred Treatment

Pursuant to Brady v. Maryland, 373 U.S. 83 (1963), and progeny, the government will provide in ample time for utilization at trial, notice to defense counsel of any and all promises, rewards, inducements, made to any government witness (if any), offers or grants of immunity (if any), arrest and conviction records of government witnesses (if any), and any other relevant material information bearing on the witnesses' potential bias or interest in the outcome of the case and/or her

own motive for cooperating with the government.

Rule 16, Federal Rules of Criminal Procedure, does not require pretrial disclosure of witness statements (if any).

Jencks, material, 18 U.S.C. §3500, will be provided the day before testimony in order to avoid delays in time of trial. Rule 16 material and Brady will be made known to defense as an on-going procedure, when appropriate.

#### IV.

##### Motion to Compel Disclosure of Identities of Individuals Furnishing Nonprivileged Information

All information obtained from investigation witnesses will be produced as Jencks material, 18 U.S.C. §3500, as trial witnesses.

However, the defense counsel is welcome to make an appointment and visit the U.S. Attorney's Office and see the entire government file, at any time.

#### V.

##### Motion for Disclosure of Any Rule 404(b) Evidence the Government Intends to Introduce at Trial

At this time the government does not know of any Rule 404(b) F.R.E., material as defined by United States v. Record, 873 F.2d 1363 (10th Cir. 1989). Should such become available and its use intended, a notice of such will be filed in the case.

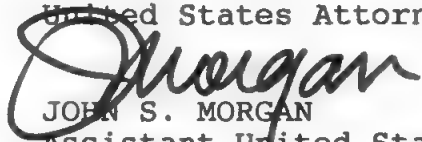
#### VI.

##### Motion for the Government to Affirm or Deny Illegal Electronic Surveillance

The government knows of no such evidence at this time.  
Should such become available and its use intended, a notice of  
such will be filed in the case.

Respectfully submitted

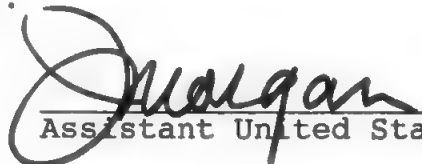
TONY M. GRAHAM  
United States Attorney



JOHN S. MORGAN  
Assistant United States Attorney  
3600 U.S. Courthouse  
333 West Fourth Street  
Tulsa, Oklahoma 74103

CERTIFICATE OF SERVICE

This is to certify that on the 18 day of December,  
1989, a true and correct copy of the foregoing was mailed postage  
prepaid thereon, to: John E. Dowdell, Esq., 2900 Mid-Continent  
Tower, Tulsa, Oklahoma 74103.



Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 11 1989

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
LORAN EUGENE HALL, SR., KENT )  
PATRICK THIMMESCH a/k/a PAUL )  
RICHARD LASSLEY, LOREN EUGENE )  
HALL, JR., BARBARA ANN )  
MARTENEY, DAVID ROYSE LADD )  
and MICHAEL STEVEN HALL, )  
 )  
Defendants. )

No. 89-CR-83-E ✓

DEFENDANT DAVID ROYSE LADD'S MOTION AND BRIEF FOR  
DISCLOSURE OF ANY RULE 404(b) EVIDENCE  
THE GOVERNMENT INTENDS TO INTRODUCE AT TRIAL

Defendant David Royse Ladd ("Ladd"), through counsel, respectfully moves this Court to order the United States of America (the "government") to provide Ladd the following information about each item of evidence it intends to seek to introduce at trial under the authority of Rule 404(b), Federal Rules of Evidence:

A. Any evidence the government intends to introduce at trial of other crimes, wrongs or bad acts including, but not limited to:

1. Any evidence that tends to establish that Ladd participated in similar transactions as those charged in the indictment;

2. Any evidence of a statement of Ladd, oral

compel disclosure of the contents of any communication between informers and the government that does not tend to reveal the identities of the informants. Id., at 60. (Contents of informer's communications not tending to reveal his or her identity not privileged).

Ladd also moves the Court to order the disclosure of the existence of any informer supplying information regarded by such officials as privileged and requests the Court to conduct a hearing, if necessary, to determine whether the information is in fact privileged. Without such a hearing, Ladd's rights under Roviaro are meaningless.

If the Court believes that granting the motion at this time is inappropriate, Ladd requests permission to refile the motion at a later time.

Respectfully submitted,



John E. Dowdell  
NORMAN & WOHLGEMUTH  
2900 Mid-Continent Tower  
Tulsa, Oklahoma 74103  
(918) 583-7571


Attorney for Defendant,  
David Royse Ladd



CERTIFICATE OF DELIVERY

I, John E. Dowdell, hereby certify that on the 11th day of December, 1989, I had a true and correct copy of the above and foregoing instrument hand-delivered to:

Jack Morgan, Esq.  
Assistant United States Attorney  
United States Courthouse  
333 W. Fourth Street  
Tulsa, OK 74103

  
\_\_\_\_\_  
John E. Dowdell *by SKW*

or written, that the government alleges is false or misleading and which is not the specific subject of a Count or Counts in the present indictment; and

3. Any evidence that Ladd's conduct, acts or statements constitutes a violation of any state or federal law.

B. Any and all factual details known to the government as well as which details it will seek to introduce, about each "other crime", "wrong" or "bad act".

C. Whether the evidence will be introduced by means of a documentary exhibit, and, if so, the identity of each exhibit and its availability for inspection and copying.


D. The names of any witnesses who will give testimony about the "other crime", "wrong" or "bad act" and/or lay the foundation for the entry of any exhibit and a summary of theses witnesses' intended testimony.

E. Whether each "other crime", "wrong" or "bad act" is presently the subject of a pending charge or ongoing criminal investigation; and, if so, whether the government intends to elicit this circumstance from any witness or through any exhibit.

F. The element of the crime for which each "other crime", "wrong" or "bad act" is offered as proof, i.e., "motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident." Rule 404(b), Federal Rules of Evidence.

If any information derived from these sources, or any other source, is intended to be offered at the trial of this case pursuant to Rule 404(b), Ladd requests adequate notice of such intention as well as the particulars of each item sought to be admitted as "other crime", "wrong" or "bad act" evidence. Such disclosure is necessary so Ladd may meaningfully review the evidence and seek its exclusion if prejudice requires. United States v. Climatedp, Inc., 482 F.Supp. 376, 391 (N.D. Ill. 1979).

Respectfully submitted,

  
John E. Dowdell *by SKW*  
NORMAN & WOHLGEMUTH  
2900 Mid-Continent Tower  
Tulsa, Oklahoma 74103  
(918) 583-7571

Attorney for Defendant,  
David Royse Ladd

CERTIFICATE OF DELIVERY

I, John E. Dowdell, hereby certify that on the 11th day of December, 1989, I had a true and correct copy of the above and foregoing instrument hand-delivered to:

Jack Morgan, Esq.  
Assistant United States Attorney  
United States Courthouse  
333 W. Fourth Street  
Tulsa, OK 74103

  
John E. Dowdell *by SKW*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
LORAN EUGENE HALL, SR., KENT )  
PATRICK THIMMESCH a/k/a PAUL )  
RICHARD LASSLEY, LOREN EUGENE )  
HALL, JR., BARBARA ANN )  
MARTENEY, DAVID ROYSE LADD )  
and MICHAEL STEVEN HALL, )  
 )  
Defendants. )

No. 89-CR-83-E ✓

DAVID ROYSE LADD'S MOTION AND  
BRIEF FOR THE GOVERNMENT TO AFFIRM OR DENY  
ILLEGAL ELECTRONIC SURVEILLANCE

Defendant David Royse Ladd ("Ladd"), through counsel, invokes his right to have the United States of America (the "government") affirm or deny whether he has been subjected to illegal electronic surveillance. See 18 U.S.C. § 3504.


If the government has engaged in, or been aided by, any wrongful act in so intercepting his private conversations, Ladd has a right to know and seek redress. Alderman v. United States, 394 U.S. 165 (1969); United States v. United States District Court., 407 U.S. 297 (1972); United States v. Williams, 580 F.2d 578, 583 (D.C. Cir. 1978); United States v. Sinclair, 321 F.Supp. 1074, 1076 (E.D. Mich. 1971).

The government must respond by affidavit or sworn testimony after diligent search and inquiry. Williams, supra, 580

F.2d at 584; In Re Maury Santiago, 533 F.2d 727, 729-30 (1st Cir. 1976); United States v. Aloï, 511 F.2d 585, 602 (2nd Cir.), cert. denied, 423 U.S. 1015 (1975); United States v. Stevens, 510 F.2d 1101, 1104.06 (5th Cir. 1975); United States v. Van Drunen, 501 F.2d 1393, 1399 (7th Cir.), cert. denied, 419 U.S. 1091 (1974); United States v. D'Andrea, 495 F.2d 1170, 1174 n.12 (3rd Cir.), cert. denied, 419 U.S. 855 (1974). See also In Re Turgeon, 402 F.Supp. 1239, 1240-41 (D. Conn. 1975); cf., United States v. Hearst, 412 F.Supp. 863, 869 (N.D. Cal. 1975).

This relief is requested in order that Ladd may exercise his constitutional and statutory rights to be free of illegal searches and seizures by electronic means.

Respectfully submitted,


  
John E. Dowdell *by skw*  
NORMAN & WOHLGEMUTH  
2900 Mid-Continent Tower  
Tulsa, Oklahoma 74103  
(918) 583-7571

Attorney for Defendant,  
David Royse Ladd

CERTIFICATE OF DELIVERY

I, John E. Dowdell, hereby certify that on the 11th day of December, 1989, I had a true and correct copy of the above and foregoing instrument hand-delivered to:

Jack Morgan, Esq.  
Assistant United States Attorney  
United States Courthouse  
333 W. Fourth Street  
Tulsa, OK 74103

  
John E. Dowdell *by SKW*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
LORAN EUGENE HALL, SR., KENT )  
PATRICK THIMMESCH a/k/a PAUL )  
RICHARD LASSLEY, LOREN EUGENE )  
HALL, JR., BARBARA ANN )  
MARTENEY, DAVID ROYSE LADD )  
and MICHAEL STEVEN HALL, )  
 )  
Defendants. )

No. 89-CR-83-E ✓

dt

DEFENDANT DAVID ROYSE LADD'S MOTION AND BRIEF TO COMPEL  
DISCLOSURE OF THE EXISTENCE AND SUBSTANCE OF  
PROMISES OF IMMUNITY, LENIENCY OR PREFERRED TREATMENT

Defendant David Royse Ladd ("Ladd"), through counsel, respectfully moves the Court to order the United States of America (the "government") to produce the following information:

(1) The existence, substance, and the manner of execution or fulfillment of any promise, statement, agreement, understanding, or arrangement, either verbal, written or implied, between the government or its agents and any prosecution witness, or his or her attorneys or representatives, for the purpose of obtaining the person's testimony, cooperation or provision of information to the government, wherein the government has agreed to any of the following:

- (a) not to prosecute the person for any crime or crimes;
- (b) not to prosecute a third party for any crime or crimes where the reason for not prosecuting the third party is the consideration to the person;
- (c) to provide a formal grant of statutory immunity, or to provide an informal assurance that the person will not be prosecuted in connection with any testimony, cooperation, or information given by him or her;
- (d) to recommend leniency or a particular sentence for any crime or crimes for which he or she stands convicted or is expected to be convicted;
- (e) to comply with any prior agreements although the witness may have previously violated a part of his agreement;
- (f) to provide favorable treatment or consideration, that is, money, a job, a new location, a new start, etc., to the person himself or to friends or relatives of this person in return for his or her testimony, cooperation, and provision of information;
- (g) to make any recommendation of benefit to the person to any state or federal agency; and
- (h) to make any other recommendation of benefit, or to give any other consideration to the person or friends or relatives of the person.

(2) The substance and manner of execution of any threat of prosecution or intimidation in any way by any government agent, or other person acting on behalf of the government, to a witness concerning the giving or not giving of any testimony, cooperation or information in this case.

(3) The existence, substance, and manner of execution of any of the above matters relative to witnesses with regard to




state agents and federal agents.

(4) Any statement or information showing that any government witness participated in any manner in any of the offenses charged in the indictment.

Such matters are extremely relevant to the credibility of the witnesses and failure to disclose such individuals and the circumstances of their cooperation violates Ladd's Fifth and Sixth Amendment rights. See e.g. Giglio v. United States, 405 U.S. 150 (1972); United States v. McCrane, 527 F.2d 906 (3rd Cir. 1975), aff'd. after remand, 547 F.2d 205 (1976); Lewinski v. Ristaino, 448 F.Supp. 690 (D. Mass. 1978).

Such disclosure should be made prior to trial so that appropriate defense preparation can be made. Moreover, under the circumstances of this case, disclosure would not be a disadvantage to the government.

Respectfully submitted,

  
John E. Dowdell *by skw*


NORMAN & WOHLGEMUTH  
2900 Mid-Continent Tower  
Tulsa, Oklahoma 74103  
(918) 583-7571

Attorney for Defendant,  
David Royse Ladd

CERTIFICATE OF DELIVERY

I, John E. Dowdell, hereby certify that on the 11th day of December, 1989, I had a true and correct copy of the above and foregoing instrument hand-delivered to:

Jack Morgan, Esq.  
Assistant United States Attorney  
United States Courthouse  
333 W. Fourth Street  
Tulsa, OK 74103

  
\_\_\_\_\_  
John E. Dowdell      by SW

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
LORAN EUGENE HALL, SR., KENT )  
PATRICK THIMMESCH a/k/a PAUL )  
RICHARD LASSLEY, LOREN EUGENE )  
HALL, JR., BARBARA ANN )  
MARTENEY, DAVID ROYSE LADD )  
and MICHAEL STEVEN HALL, )  
 )  
Defendants. )

No. 89-CR-83-E ✓

DEFENDANT DAVID ROYSE LADD'S  
MOTION TO PRODUCE AND  
MEMORANDUM BRIEF IN SUPPORT THEREOF

Defendant David Royse Ladd ("Ladd"), respectfully moves the Court to order the United States of America (the "government") to produce for Ladd's inspection and/or reproduction any material that could reasonably effect a determination of his guilt or innocence, reduce punishment, is relevant to the subject matter of the charges, or which may, in any manner, assist Ladd, whether or not the government considers such material admissible at trial, or is exculpatory in nature. See Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, and Rule 16 of the Federal Rules of Criminal Procedure. Such materials should include, but are not limited to, the following:

1. Any and all statements, confessions or reports in the

possession of, accessible to, or known to exist by the government made by agents of the Federal Bureau of Investigation, or any other agency of the United States, and any other person or persons, whether or not employed by the government, including Mr. Ladd, or any other law enforcement or investigative agency under Rule 16 of the Federal Rules of Criminal Procedure.

2. The substance of any oral statement which the government intends to offer in evidence at the trial made by Ladd in response to interrogation by any person then known to Ladd to be a government agent.

3. Any and all exhibits and charts that the government intends to introduce into evidence in the trial in this matter, including, but not limited to, books, papers, schedules, documents, photographs, statements, ledgers, bank accounts, telephone records, tape recordings, prospecti, checks, records of deposits, financial statements, cost studies, minutes of meetings or other tangible objects which are intended for use by the government as evidence in chief at the trial (including any bank records, credit applications and records, stock records, and correspondence) which were obtained from, belong or relate to the Defendant, Ladd.

4. Stenographic or electronic recordings or transcriptions of oral statements made by any person or any agent of the government or the States of Oklahoma, Texas, Kansas or Ohio or any other state in the possession of or accessible to the government.

5. Any tape or other audio recordings or statements made by any person to any agent of the government or to agents of the States of Oklahoma, Texas, Kansas or Ohio or any other state in the possession of or accessible to the government.

6. Any transcript of any statement made in the office of the Attorney General of the United States for this district or any federal district of Ohio or any Oklahoma or Ohio District Attorney, in possession of or accessible to the government during their investigation concerning the subject matter herein, whether or not the government intends to call or utilize them at trial and whether or not the statements were recorded.

7. The names and addresses of all persons who may have some knowledge of the facts involved in the instant case.

8. Written or recorded statements or summaries of any such statements not recorded made by Ladd in this case, copies of any statements, admissions, confessions or declarations against interest verbatim or otherwise which may have been made by Ladd and the name of the person taking such statements.

9. The original reports of the arresting officers in this case.

10. Any and all evidence held by any agency of the government which may be exculpatory or in any way favorable to the Defendant.

11. Any information received by electronic or other surveillance of Ladd, his premises, both home and business(es),

other individuals involved herein and/or their premises.

12. Any physical or tangible objects in the possession of the government or known to be in the possession of any governmental agency, including, but not limited to, any items taken from Ladd's person or his property.

13. A list of all witnesses that may be used by the government in the trial of this matter.

14. Any and all materials, exhibits or documents furnished or presented to the Grand Jury and Panel to hear this cause of action.


15. A copy of the prior criminal record of Ladd, if any, and all criminal reports of government witnesses; all evidence tending to impeach witnesses for the government, all evidence tending to support Ladd's innocence; statements of all witnesses whose testimony would be favorable to Ladd; all lab tests and physical or mental examinations conducted on behalf of the prosecution whether such examinations were favorable to the government, to Ladd, or neutral; all grants of immunity or promises made to government witnesses, including any plea agreement; information regarding any monies paid to witnesses of the government, including, but not limited to, rewards, subsistence payments, expenses or payments made for specific information supplied to the government; any assistance given to any government witnesses; information concerning any criminal charges pending against any government witnesses; information concerning any criminal activity in which any government

witnesses have engaged which has not resulted in prosecution or conviction; any prior and inconsistent statements of any government witnesses; any statement of any person which is contradictory or inconsistent with the expected testimony of a government witness on a material or substantial matter regardless of whether the prosecution intends to call the person as a government witness, and any documentary evidence which the prosecution might have which contradicts or is inconsistent with any witnesses' expected testimony on a material or substantial matter.

16. Defendant further moves that this Court order the government to produce all materials which (a) may become known or through the exercise of due diligence may be learned; (b) may be exculpatory or favorable to the accused or which may lead to information that is exculpatory or favorable to the accused; (c) tends to negate his guilt for charges alleged or would tend to reduce the punishment; and (d) produce any information which may become known or, through the exercise of due diligence may be learned, that is subject to discovery under any of the above paragraphs.

WHEREFORE, premises considered, Defendant David Royse Ladd urges that his Motion to Produce be granted and that the government be required to produce all materials required herein above.

Respectfully submitted,


  
John E. Dowdell *by SKW*  
NORMAN & WOHLGEMUTH  
2900 Mid-Continent Tower  
Tulsa, Oklahoma 74103  
(918) 583-7571

Attorney for Defendant,  
David Royse Ladd

CERTIFICATE OF DELIVERY

I, John E. Dowdell, hereby certify that on the 11th day of December, 1989, I had a true and correct copy of the above and foregoing instrument hand-delivered to:

Jack Morgan, Esq.  
Assistant United States Attorney  
United States Courthouse  
333 W. Fourth Street  
Tulsa, OK 74103

  
John E. Dowdell *by SKW*



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 11 1983

dt

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
LORAN EUGENE HALL, SR., KENT )  
PATRICK THIMMESCH a/k/a PAUL )  
RICHARD LASSLEY, LOREN EUGENE )  
HALL, JR., BARBARA ANN )  
MARTENEY, DAVID ROYSE LADD )  
and MICHAEL STEVEN HALL, )  
 )  
Defendants. )

No. 89-CR-83-E ✓

DEFENDANT DAVID ROYSE LADD'S MOTION AND  
BRIEF FOR DISCLOSURE OF  
GOVERNMENT'S INTENTION TO USE EVIDENCE

Defendant David Royse Ladd ("Ladd"), through counsel, respectfully moves the Court, pursuant to the provisions of Rule 12(d)(2), to require the United States of America (the "government") to disclose any evidence that the government intends to use as its evidence in chief at trial so that Ladd may have the opportunity to move to suppress such evidence under the provisions of subdivision (b)(3) of Rule 12 of the Federal Rules of Criminal Procedure.

Respectfully submitted,



John E. Dowdell *by SKW*  
NORMAN & WOHLGEMUTH  
2900 Mid-Continent Tower  
Tulsa, Oklahoma 74103  
(918) 583-7571

Attorney for Defendant,  
David Royse Ladd

CERTIFICATE OF DELIVERY

I, John E. Dowdell, hereby certify that on the 11th day of December, 1989, I had a true and correct copy of the above and foregoing instrument hand-delivered to:

Jack Morgan, Esq.  
Assistant United States Attorney  
United States Courthouse  
333 W. Fourth Street  
Tulsa, OK 74103

  
John E. Dowdell *by SKW*

INFORMATION SHEET

11/27, 1989, Before Magistrate: Wagner ( ) Wolfe (☒)  
 Case No. 89-CR-83-05-E  
 UNITED STATES OF AMERICA v. CARD, David R **FILED**

Defendant's Age 30 Sex FM Date of Birth 7/9/59 NOV 27 1989

Defendant's Address 2100 HARRISBURG RD  
CANTON, OHIO 44721  
 Nick C. Silver, Clerk  
 U.S. DISTRICT COURT

Date of Arrest 11/9/89 (Phone #) 216/452-0125  
 Arrested by ROSE 10-ND/OH

Bail Fixed \$ 10,000 (Cash or Surety) (10% Dep) (Unsecured)

Bail Made \$ 10,000 (Cash or Surety) (10% Dep) (Unsecured)

Bail Not Made \_\_\_\_\_

Special Conditions: (☒ Report as Directed  
 (☒ Travel restricted to ND/OK and ND/OH  
 ( ) Refrain from possession of firearm, etc.  
 ( ) Successful participation in drug screening  
 ( ) \_\_\_\_\_  
 ( ) \_\_\_\_\_

Preliminary Exam: Date Scheduled \_\_\_\_\_ at \_\_\_\_\_

Arraignment: Date Scheduled \_\_\_\_\_ at \_\_\_\_\_

Defendant Requests Public Defender: yes (☒) no ( )

Defendant's Attorney: Stephen Gruebel (Ct. Apptd) (Retained)

(Phone #) \_\_\_\_\_

Attorney for USA: James Morgan

Remarks: \_\_\_\_\_

Minute: I.A. - Arr - App w/FPD; O. appt'ing  
FPD executed; Bond Set @ \$10,000 u/s;  
Cond. of Release executed; S enters plea  
of N/G; dates to be mailed

( ) Defendant remanded to custody of U. S. Marshal.

# FINANCIAL AFFIDAVIT

CJA 23

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES  
IN THE CASE OF

☒ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

FOR

AT

LOCATION/NUMBER

NOV 27 1989

PERSON REPRESENTED (Show your full name)

David R. Ladd

- 1 ☒ Defendant—Adult
- 2 ☐ Defendant—Juvenile
- 3 ☐ Appellant
- 4 ☐ Probation Violator
- 5 ☐ Parole Violator
- 6 ☐ Habeas Petitioner
- 7 ☐ 2255 Petitioner
- 8 ☐ Material Witness
- 9 ☐ Other (Specify)

DOCKET NUMBER

Magistrate COURT

District Court

39-01-83-05-1

Court of Appeals

CHARGE/OFFENSE (describe if applicable & check box →)

☒ Felony  
☐ Misdemeanor

21:846, 841 (ASCI)

Comp. to UNF. Address  
William H. H. H. H.

## ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

### EMPLOYMENT

Are you now employed? ☒ Yes ☐ No ☐ Am Self Employed

Name and address of employer: CANAL FULTON SUPERMARKETS

IF YES, how much do you  
earn per month? \$ 1,200

IF NO, give month and year of last employment  
How much did you earn per month \$

If married is your Spouse employed? ☒ Yes ☐ No NOT TRUE

IF YES, how much does your  
Spouse earn per month \$ 700

If a minor under age 21, what is your  
Parents or Guardian's approximate monthly income \$

### ASSETS

### OTHER INCOME

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☐ Yes ☒ No

IF YES, GIVE THE AMOUNT  
RECEIVED & IDENTIFY \$  
THE SOURCES

RECEIVED

SOURCES

### CASH

Have you any cash on hand or money in savings or checking account ☒ Yes ☐ No IF YES, state total amount \$ 180

### PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☒ Yes ☐ No

IF YES, GIVE VALUE AND \$  
DESCRIBE IT

VALUE

DESCRIPTION

\$ 1,500

78' OLDS

### OBLIGATIONS & DEBTS

### DEPENDENTS

MARITAL STATUS

☐ SINGLE

☒ MARRIED

☐ WIDOWED

☐ SEPARATED OR

☐ DIVORCED

Total  
No. of  
Dependents

4

List persons you actually support and your relationship to them

WIFE AND THREE CHILDREN

### DEBTS & MONTHLY BILLS

(LIST ALL CREDI-  
TORS, INCLUDING  
BANKS, LOAN COM-  
PANIES, CHARGE  
ACCOUNTS, ETC.)

Creditors

APARTMENT  
OR HOME:

RENT + UTILITIES

Total Debt

Monthly Payt.

\$

\$ 580

\$

\$

\$

\$

\$

\$

I certify the above to be correct.

SIGNATURE OF DEFENDANT  
(OR PERSON REPRESENTED)

*[Signature]*

11/27/89

**WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

NOV 27 1989

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID ROYSE LADD

Defendant(s).

NO. 89-CR-83-05-E

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

ORDER APPOINTING COUNSEL

On this 27th day of November, 1989, the above-named having completed an affidavit as to financial ability to employ counsel, and upon review, the Court finds that the affiant(s) is/are financially unable to obtain counsel. In accordance with the Northern District of Oklahoma Plan for Implementing the Criminal Justice Act of 1984,

IT IS HEREBY ORDERED that the:

- ☐ Federal Public Defender is appointed to represent the following: \_\_\_\_\_ in all further proceedings unless and until relieved by order of the court.
- ☒ Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, as necessary, for appointment to represent the following:  
\_\_\_\_\_  
David Royse Ladd
- ☐ Defendant will reimburse the government for the reasonable cost of providing representation in accordance with his/her ability to pay as determined by further order of the court.
- ☐ Federal Public Defender is temporarily appointed to represent the following:  
\_\_\_\_\_  
for purposes of initial appearance only.

Dated this 27th day of November, 1989.

  
JEFFREY S. WOLFE  
UNITED STATES MAGISTRATE

cc: Federal Public Defender  
Clerk (file)  
United States Attorney  
Defendant(s)

NOV 29 1989

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BARBARA ANN MARTENEY,

Defendant.

No. 89-CR-83-04-E

PETITION TO ENTER PLEA OF GUILTY  
AND  
ORDER ENTERING PLEA

(Federal Rules of  
Criminal Procedure,  
Rules 10 and 11)

The defendant represents to the Court:

(1) My full true name is: BARBARA ANN MARTENEY.  
I am 34 years of age. I have gone to school up to and  
including 1 YEAR OF COLLEGE. I request that all proceedings  
against me be in my true name.

(2) I am represented by a lawyer; his/her name is:  
RONALD C. BENNETT.

(3) I received a copy of the Indictment before being called  
upon to plead. I read the Indictment and have discussed it with  
my lawyer. I fully understand every charge made against me.

(4) I told my lawyer all the facts and circumstances known  
to me about the charges made against me in the Indictment. I  
believe that my lawyer is fully informed on all such matters.

(5) I know that the Court must be satisfied that there is a  
factual basis for a plea of "GUILTY" before my plea can be  
accepted. I represent to the Court that I did the following acts  
in connection with the charge(s) made against me in Count(s) I

ALONG WITH MY FATHER, LOREN EUGENE HALL, SR.,  
AND OTHERS I CONSPIRED TO POSSESS METHAMPHETAMINE  
WITH INTENT TO DISTRIBUTE. I SOLD METHAMPHETAMINE  
AND DELIVERED MONEY THEREFROM TO MY FATHER IN  
1987. I FURTHER INTRODUCED MY FATHER TO "COOKS"  
(In the above space defendant must set out in detail what (s)he did. If more space is needed, add a separate page.)  
FOR THE PURPOSE OF MANUFACTURING METHAMPHETAMINE.  
SOME ACTS BY OTHER CONSPIRATORS WERE COMMITTED  
IN THE NORTHERN DISTRICT OF OKLAHOMA.

"Indictment" also includes "Information."

**NOTE:** If the space provided is not sufficient for a complete response, you should add an attachment and  
indicate an answer is made in attachment.

(6) My lawyer has counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that I might have in this case.

(7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY", I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.

(8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am "GUILTY".

(9) I know that if I plead "GUILTY" I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.

(10) Know that if I plead "GUILTY" the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.

(11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment, which, as provided by law is 20 years imprisonment and/or a fine of \$ 1,000,000. My lawyer has further advised me that if the offense(s) to which I plead "GUILTY" occurred on or after January 1, 1985, the maximum fine is the largest of:

- (a) The amount specified in law defining the offense
- (b) Double the gross pecuniary gain derived by a defendant from the offense
- (c) Double the pecuniary loss caused by the offense to another person

	<u>Individual Def.</u>	<u>Other Def.</u>
(d) Any Felony; Misdemeanor resulting in Death	\$ 250,000	\$500,000
Other Misdemeanor punishable by more than six months	100,000	200,000

My lawyer has also advised me that a Special Monetary Assessment in the amount of \$ 50.00 will be assessed per count if the offense(s) occurred on or after November 12, 1984.

Further, my lawyer has advised me that if the offense(s) to which I plead "GUILTY" occurred after December 31, 1982, and the offense(s) charge violation(s) of any statute found under Title 18 of the United States Code or certain subsections of the Federal Aviation Act (Title 49 U.S.C. 1472), that Title 18 U.S.C. et seq. authorizes a court to sentence a defendant to pay restitution in addition to or in lieu of any other penalty permitted by law, to any victim of the offense(s).

Also, if convicted of certain drug offense(s) under Title 21, an additional term of at least 3 to 5 years Special Parole/Supervised Release must be imposed.

I have been advised by counsel that I will be sentenced pursuant to the sentencing guidelines procedure established by Title 18 U.S.C. 3553 et seq. I understand that sentencing is a matter left exclusively in the province of the Court; and I understand that the sentence imposed by the Court may be within the guideline table range provided by law, or for good cause stated the Court may depart therefrom after a review of all relevant facts and circumstances of my case have been considered by the Court.

I further understand the Court may impose a term of Supervised Release that will run after any term of confinement that might be imposed.

Further, I understand that probation is not available as a sentencing alternative to the Court in most cases under the sentencing guidelines, and that whenever probation is permissible under the sentencing guidelines it is exclusively within the Court's province to grant or deny probation.

(12) If I am on probation or parole in this or any other Court, I know that by pleading "GUILTY" here, my probation or parole may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this case.

(13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of lenience if I plead "GUILTY", except as follows:



(Here insert any promises or concessions made to the defendant or to his attorney. If the plea of "GUILTY" is the result of a plea agreement, refer to paragraph (14) of this petition.)

USE IMMUNITY / SUBSTANTIAL ASSISTANCE UNDER  
RULE 35(b) IF DONE / NO FURTHER CHARGES IN  
CONNECTION WITH THIS CONSPIRACY.

If anyone else, including my attorney, made such a promise, suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.

I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of "GUILTY".

(14) My plea of "GUILTY" (is) (is not) the result of a plea agreement entered into between the government attorney, my attorney, and me.

Since my plea of "GUILTY" is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:

USE IMMUNITY / SUBSTANTIAL ASSISTANCE IF  
DONE / NO FURTHER CHARGES IN CONNECTION  
WITH THIS CONSPIRACY.

I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of "GUILTY".

(15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.

(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:

GUILTY AS CHARGED IN THE INDICTMENT

"The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s) \_\_\_\_\_", "NOT GUILTY as charged in Count(s) \_\_\_\_\_".

(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are:

NONE

(If none, so state.)

(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.)

NONE

(19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of "GUILTY" is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.

(20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.

(21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.

Signed and Sworn to by me in open Court, in the presence of my attorney, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Robert A. Martore  
Defendant

Subscribed and Sworn to before me this 29<sup>th</sup> day of November, 1989.

Cindy Smith  
Deputy Clerk

CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant  
BARBARA ANN MARTENEY, hereby certifies:

(1) I have read and fully explained to the defendant the allegations contained in the Indictment in this case.

(2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

I have further explained to my client the provisions of guideline sentencing as established by Title 18 U.S.C. 3553 et seq., and that sentencing is left solely within the province of the Court.

My client fully understands that for good cause shown, the Court may depart from the guideline table range and further that probation is not available as a sentencing alternative in most cases under guideline sentencing. Also, my client fully understands that whenever probation is a permissible sentencing alternative, it is exclusively within the Court's discretion to grant or deny probation.

(3) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts (s)he related to me and is consistent with my advice to the defendant.

(4) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.

(5) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".

(6) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

NONE

---

---

(7) I further represent to the Court that the defendant's plea of "GUILTY" (is) (is not) the result of a plea agreement. The terms of the agreement are set out in paragraph (14) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him/her the opportunity to withdraw his/her plea of "GUILTY".

Signed by me in open Court in the presence of the defendant above named and after full discussion of the contents of this certificate with the defendant, this 29<sup>th</sup> day of NOVEMBER, 1989.

Ronald C Bennett  
Attorney for the Defendant

O R D E R

I find that the plea of "GUILTY" was made by the defendant freely, voluntarily, and because (s)he is "GUILTY" as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime(s) charged and that there is a factual basis for the pleas(s) of "GUILTY" and the defendant is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea(s) of "GUILTY" be accepted and entered as prayed for in the petition and as recommended in the certificate of his/her lawyer.

Done in open Court this 29<sup>th</sup> day of November, 1989.

James E. Quinn  
UNITED STATES DISTRICT JUDGE



U.S. Department of Justice

United States Attorney  
Northern District of Oklahoma

3600 United States Courthouse  
333 West 4th Street  
Tulsa, Oklahoma 74103

918/581-7463

October 25, 1989

Mr. Ronald C. Bennett  
Attorney at Law  
P.O. Box 14070  
Tulsa, Oklahoma 74159

Re: United States v. Barbara Ann Marteney, No. 89-CR-083-04-E  
Northern District of Oklahoma

Dear Mr. Bennett:

Pursuant to our discussions, and Barbara Ann Marteney's desire to enter a plea of guilty to the above referenced One Count Indictment, this letter constitutes a plea agreement. As this offense occurred after November 1, 1987, the sentence in this case will be set in accordance with the Sentencing Guidelines. To calculate such a sentence the amount of controlled substance involved will be the primary factor in the determination of the offense level.

Ms. Marteney currently stands charged with one count of violating Title 21, U.S.C. §846, 841(a)(1), Conspiracy to Manufacture; Possess with Intent to Distribute and to Distribute Methamphetamine. After the amount of controlled substances is established and an offense level is determined, as pertains to this conspiracy, additional calculations, whether reductions or increases will be left solely to the determination of the sentencing judge.

Should your client plead guilty to the said Indictment, the maximum punishment under the statute is 20 years imprisonment, a \$1,000,000 fine, a \$50.00 special assessment, and a minimum term of three years to five years supervised release.

Mr. Ronald Bennett, Esq.  
October 25, 1989  
Page 2


Timely acceptance of responsibility (§3E1.1) allows a 2 point level of reduction, if she agrees to the following:

1. Enter a plea of guilty on or before the current trial date thereby assuming personal responsibility for the offense;
2. Voluntary termination or withdrawal from criminal activity or associations;
3. Voluntary and truthful admission to all government authorities, before sentencing, of his involvement in the offense related conduct.

The sentencing judge is in a unique position to evaluate the acceptance of responsibility and his determination will provide the final approval of such 2 level reduction of the offense level.

Our preliminary understanding of the pertinent facts and circumstances, as they are known to us at this time, indicates that your client's associations would enable her significantly to assist the pursuit of justice by providing direct first-hand information concerning alleged criminal acts and transactions.

Accordingly, the government is willing to enter into the following agreement with your client, Barbara Ann Marteney concerning investigations being conducted by various law enforcement agencies. In return for your client's cooperation and truthful testimony before any federal grand jury investigating illegal matters, as well as truthful testimony in any trial, including the current charge, against any defendant, or in any trial that may arise out of any case, or any investigation or related investigations in other federal districts, and her plea of guilty to the above referenced Indictment, the government will not subject her to additional federal criminal prosecutions for any criminal acts she committed in connection with such conspiracy, and will grant her immunity for the use of her disclosures and testimony. Additionally, the government agrees to advise the sentencing court, by motion before sentencing and/or after sentencing pursuant to Rule 35(b), F.R.C.P., that the defendant has made a good faith effort to provide substantial assistance (§5K1.1), if she has in fact done so, thereby allowing the court to a downward departure from the guidelines.




Mr. Ronald Bennett, Esq.  
October 25, 1989  
Page 3

The actual sentence rendered by the district court following your client's plea of guilty remains in the sole discretion of the trial judge and the government cannot predetermine what would be the final result of the court's evaluation and decision after all factors are considered.

The assurance that your client will be granted "use" immunity and will not be subject to additional federal criminal prosecutions for such matters is being given to ensure that the government and the public will receive the full benefit of the knowledge and information in your client's possession and her complete, candid and truthful testimony concerning the activities of the individuals and the operations or entities involved in any narcotics/drug organization. Therefore, the government's representation to your client in this regard is expressly conditioned upon her complete cooperation with any and all government investigations concerning the above-referenced case and other investigations and/or cases, including any criminal prosecutions that may develop or have developed therefrom. In this connection, she agrees to make herself available to federal and state law enforcement personnel for interviews as and when reasonably requested by them.

As indicated above, the government defines "cooperation" to require complete, candid and absolutely truthful disclosures by your client in response to any and all questions or inquiries that may be put to her in connection with such investigations, actions or proceedings, whether in interviews with federal, state or local law enforcement personnel, before a Grand Jury or at trial. Should your client's statements or testimony be false, misleading or materially incomplete, or should she knowingly fail to act with total honesty and candor in any such matter, the government will no longer be bound by its representation to her concerning her freedom from additional criminal prosecutions as set forth above. In that event, she could not only be prosecuted for any additional federal criminal offenses presently known to or hereafter discovered by the government, but also for perjury and/or false statements as well.

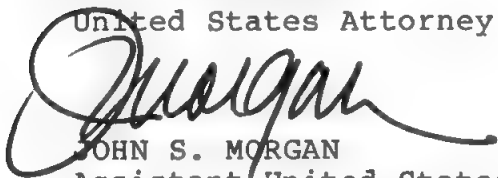


Mr. Ronald Bennett, Esq.  
October 25, 1989  
Page 4

I trust that the foregoing accurately sets forth the terms of our agreement. If these terms are acceptable to you and your client, please indicate your acceptance by signing this letter in the spaces provided below.

Very truly yours,

TONY M. GRAHAM  
United States Attorney



JOHN S. MORGAN  
Assistant United States Attorney  
Organized Crime Drug Enforcement  
Task Force (OCDETF)

  
BARBARA ANN MARTENEY  
Defendant

Nov 29, 1989  
Date

  
RONALD C. BENNETT  
Attorney for Defendant

Nov 29, 1989  
Date

JSM:ddb



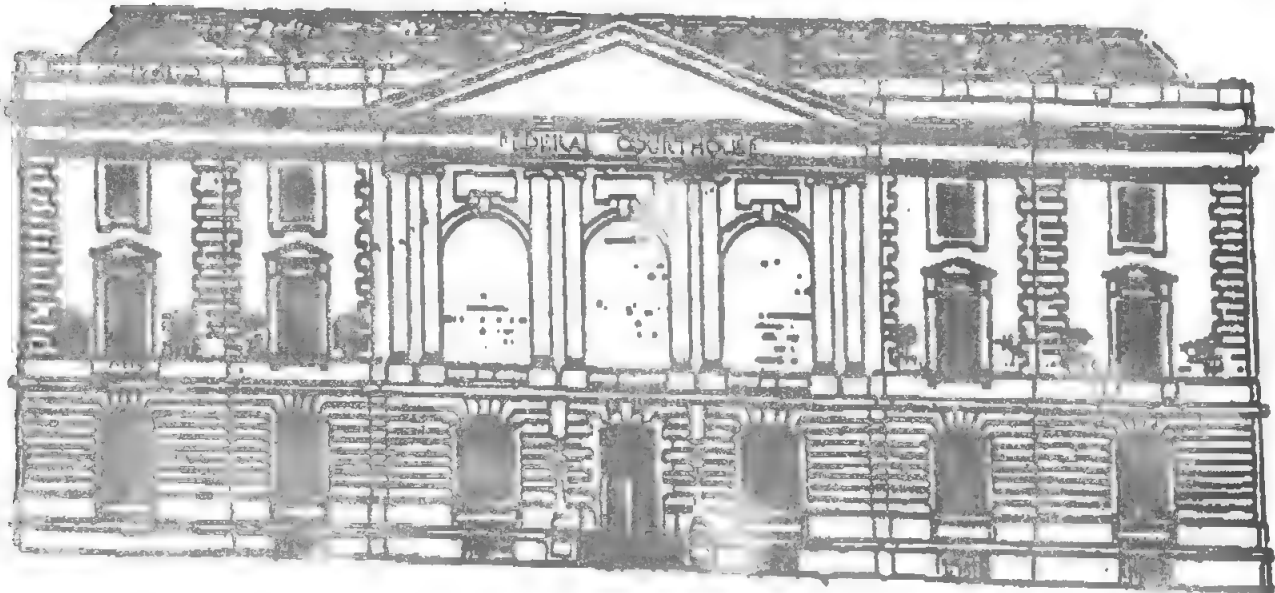
**United States District Court**  
Northern District of Ohio

**James S. Callias**  
Clerk of Court

Office of the Clerk  
U. S. Court House  
Cleveland, Ohio 44111  
(216) 322-1333

**Eastern Division**  
Cleveland  
Wangsten  
Akron

**Western Division**  
Columbus



**TELECOPY MESSAGE**

**DATE:** 11-22-89

**Please hand-deliver the following telecopy to:**

**NAME:** Mr. J. Wolfe's office  
for 11-27-9:00 hrs.

**FROM:** C. J. Miller

**TOTAL NUMBER OF PAGES (including cover sheet):** 10

Please call immediately if the telecopy you receive is incomplete or illegible. The telephone number is \_\_\_\_\_ . Thank you.

FTS 8-942-4355

89CR-8305-1



DATE		Yr	Docket No	Doc	MASTER DOCKET MULTIPLE DEFENDANT CASE PROCEEDINGS DOCKET FOR SINGLE DEFENDANT	PAGE	OF	VI EXCLUDABLE DELAY			LP
DOCUMENT NO								Start Date End Date	Code	Total Days	
<div style="text-align: center;">V. PROCEEDINGS</div>											
11/9/89	1				TRUE COPY of indictment from Northern District of Oklahoma 89CR83E 6p ejm						
11/9/89	2				MINUTES of procdgs. Bartunek, M. 89-26-B 296/1021 (R.40 app; FD appointed; bond set \$10,000 unsecured; next hearing in Oklahoma 11/27/89 9:00) 1p ejm						
11/9/89	3				WAIVER of R. 40 hearing (ID) executed. 1p ejm						
11/9/89	4				ORDER setting conditions of release. Bartunek, M. 3p ejm (travel restricted to the Northern District of Ohio; deft to report on a regular basis to PSA)						
11/9/89	5				APPEARANCE BOND executed (\$10,000. unsecured) Bartunek, M. 1p ejm						
11/9/89	6				RETURN on warrant; deft arrested 11/9/89 1p ejm						
11/21/89	7				COMMITMENT to another district (in the event and only in the event the deft. fails to appear on 11/27/9:00 before Magistrate J. Wolfe) Bartrunek, M. 1p ejm						

I hereby certify that this  
Instrument is a true and  
correct copy of the original  
on file in my office.  
Attest: James S. Gellas, Clerk  
U. S. District Court  
Northern District of Ohio

By: *CE Mich*  
Deputy Clerk

MAGIST NOV 22 '89 13:38 ITUNEX  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

MINUTES OF PROCEEDINGS  
BAIL HEARING

DATE 11-9-89  
Name David Royce Ladd  
Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
How Long \_\_\_\_\_ Resident \_\_\_\_\_  
Of Dist. \_\_\_\_\_  
Own \_\_\_\_\_ Rent \_\_\_\_\_ Other \_\_\_\_\_  
Telephone \_\_\_\_\_  
Marital Status \_\_\_\_\_ No. of Depend. 4  
Employment Land Lutter  
Enterprise  
How Long 3 years Net Salary 3300  
Other Income \_\_\_\_\_

Previous Convictions:

What \_\_\_\_\_  
Where \_\_\_\_\_  
When \_\_\_\_\_  
Sentence \_\_\_\_\_  
On Parole \_\_\_\_\_ or Probation \_\_\_\_\_

Pending Cases:

What \_\_\_\_\_  
Where \_\_\_\_\_  
Bond \_\_\_\_\_

CASE NO. 7189-426  
Violation 21 846, 841(a)(1) 853  
Charge Read \_\_\_\_\_ Rights Read \_\_\_\_\_  
History Taken \_\_\_\_\_  
Bond Set At \$10000 PSA  
AUSA Present Jay Arbagast  
Defense Counsel Present Jackie Johnson  
Address \_\_\_\_\_  
Federal Defender Appointed ☒  
Counsel Appointed (CJA) \_\_\_\_\_  
Defendant Ordered To Pay \$ \_\_\_\_\_ per m  
to Clerk of Court to apply toward attorney  
fees commencing \_\_\_\_\_

Counsel To Be Retained \_\_\_\_\_

Defendant to advise Mag. by \_\_\_\_\_  
if unable to retain counsel.

Gov. orally moved for pt detention \_\_\_\_\_

CONTINUED TO: 11/27/89 at 9:00

FOR: Preliminary Hearing in Oklahoma

Removal Hearing \_\_\_\_\_

First Appearance with Counsel \_\_\_\_\_  
Hearing on gov's motion for  
Pretrial Detention \_\_\_\_\_

Other \_\_\_\_\_

Hearing Requested \_\_\_\_\_

Preliminary Waived \_\_\_\_\_

FILED  
NOV 9 1989  
CLERK OF COURTS  
U. S. District Court  
Northern District of Ohio  
Waived

I hereby certify that this  
instrument is a true and  
correct copy of the original  
on file in my office.

Attest: James S. Gailus, Clerk  
U. S. District Court  
Northern District of Ohio

ARREST DATE: 11/9/89

Deputy Clerk

Deputy Clerk

AO 466 (1/86) Waiver of Rule 40 Hearing

FILED

## United States District Court

NOV 9 1989

NORTHERN

DISTRICT OF

OHIO

at ..... o'clock ..... M  
CLERK OF COURTS  
U. S. District Court, N.D.O.

UNITED STATES OF AMERICA

v.

WAIVER OF RULE 40 HEARINGS  
(Excluding Probation Cases)

David R. Ladd

Case Number: 89-4126

I, David R. Ladd, understand that in the  
Northern District of Oklahoma, charges are pending  
 alleging violation of 21 846, 841(a)(1) 853 and that I have been  
 arrested in this District and taken before a United States Magistrate, who informed me of the charge and of my  
 right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the  
 proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing  
 to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has  
 been returned or an information filed) to determine whether there is probable cause to believe an offense has  
 been committed by me, the hearing to be held either in this district or the district of prosecution.

## I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

☒ Identity hearing☐ preliminary examination☐ identity hearing and have been informed I have no right to a preliminary examination☐ identity hearing but request a preliminary examination be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the  
 charge is pending against me.

I hereby certify that this  
 instrument is a true and  
 correct copy of the original  
 on file in my office.

Attest: James S. Gallas, Clerk  
 U. S. District Court  
 Northern District of Ohio

David R. Ladd  
 Defendant

11-9-89

By:

[Signature]  
 Deputy Clerk

Jacqueline A. Johnson  
 Defense Counsel

FILED  
CLERK U.S. DISTRICT COURT  
United States District Court  
NOV-9 PM 4:50

NORTHERN

DISTRICT OF

OHIO, EASTERN DIVISION

UNITED STATES OF AMERICA

ORDER SETTING CONDITIONS  
OF RELEASE

David R. Ladd  
Defendant

Case Number. M 89-4126

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall advise the court and the U.S. attorney in writing prior to any change in address.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence

imposed as directed. The defendant shall next appear at (if blank, to be notified) U. S. District  
Court, Oklahoma 11-27-89 at 9:00  
Place Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that

- ( ☒ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- ( ☒ ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of ten thousand dollars (\$ 10,000) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

I hereby certify that this  
instrument is a true and  
correct copy of the original  
on file in my office.

Attest: James S. Gallas, Clerk  
U. S. District Court  
Northern District of Ohio

By: U. S. Gallas  
Deputy Clerk

FILED

CLERK U.S. DISTRICT COURT

1989 NOV -9 PM 4:50

NORTHERN DISTRICT OF OHIO  
CLEVELAND

## Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- ( ) (6) The defendant is placed in the custody of:  
 (Name of person or organization) \_\_\_\_\_  
 (Address) \_\_\_\_\_  
 (City and State) \_\_\_\_\_ (Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_  
 Custodian or Proxy

- (✓) (7) The defendant shall:
- ( ) (a) maintain or actively seek employment.
  - ( ) (b) maintain or commence an educational program
  - (✓) (c) abide by the following restrictions on his personal associations, place of abode, or travel:  
travel restricted to the Northern District of Ohio
  - ( ) (d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:  
 \_\_\_\_\_
  - (✓) (e) report on a regular basis to the following agency: PSA
  - ( ) (f) comply with the following curfew: \_\_\_\_\_
  - ( ) (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.
  - ( ) (h) refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.
  - ( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: \_\_\_\_\_
  - ( ) (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: \_\_\_\_\_
  - ( ) (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: \_\_\_\_\_
  - ( ) (l) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_
  - ( ) (m) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_
  - ( ) (n) surrender any passport to \_\_\_\_\_
  - ( ) (o) obtain no passport.
  - ( ) (p) \_\_\_\_\_

**Advice of Penalties and Sanctions**

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant, and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

**Acknowledgement of Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

FILED  
CLERK'S OFFICE  
889 NOV -9 PM 4:50  
NORTON

David R. Lead  
Signature of Defendant  
2100 Harrisburg Rd  
Address  
Canton Ohio 452-0425  
City and State Telephone

**Directions to United States Marshal**

- ☒ The defendant is ORDERED released after processing.  
☐ The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 11/9/89

Joseph W. Bergman  
Judicial Officer



NO

AO 98 C

7

# United States District Court

FILED

NORTHERN

DISTRICT OF

OHIO, EASTERN DIVISION

NOV 1989 PM 4:50

NORTHERN DISTRICT OF OHIO  
CLEVELAND

UNITED STATES OF AMERICA

V.

## APPEARANCE BOND

David R. Ladd  
Defendant

CASE NUMBER: m 89-4126

Non-surety: I, the undersigned defendant acknowledge that I and my ...

Surety: We, the undersigned, jointly and severally acknowledge that we and our ...

personal representatives, jointly and severally, are bound to pay to the United States of America the sum of  
\$ 10,000 and there has been deposited in the Registry of the Court the sum of  
\$ \_\_\_\_\_ in cash or \_\_\_\_\_ (describe other security.)

The conditions of this bond are that the defendant

David R. Ladd  
(name)

is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review) which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States

This bond is signed on

Cleveland, Ohio

Defendant

Address

2100 Harrisburg Rd, Canton, Ohio

Surety

Address

2100 Harrisburg Rd, Canton, Ohio

Surety

Address

Signed and acknowledged before me on

Date

by \_\_\_\_\_  
instrument is a true and  
correct copy of the original,  
and file in my office.

Attest: James S. Gules, Clerk

U. S. District Court

Northern District of Ohio

Approved: James S. Gules

Judicial Officer

By: CE. V. 100

AO 94  
(10/82)

# COMMITMENT TO ANOTHER DISTRICT (Rule 40, Federal Rules of Criminal Procedure)

<b>United States District Court</b> UNITED STATES OF AMERICA v. DAVID ROYCE LADD, et. al.		DISTRICT Northern District of Ohio, Eastern Division DOCKET NO. 89 CR 83E Northern District of Oklahoma MAGISTRATE CASE NO. M89 4126	
CHARGES AGAINST THE DEFENDANT ARE FILED BASED UPON AN <input checked="" type="checkbox"/> indictment <input type="checkbox"/> information <input type="checkbox"/> complaint <input type="checkbox"/> Other (specify)			
charging a violation of    21    U.S.C. §846 and 841(a)(1)			
DISTRICT OF OFFENSE Northern District of Oklahoma		DATE OF OFFENSE 9/87 through 2/16/89	
DESCRIPTION OF CHARGES:  Conspiracy to manufacture, to possess with intent to distribute and to distribute methamphetamine.			
BOND IS FIXED AT \$ 10,000 unsecured with pretrial services supervision			
DISTRICT  TO: THE UNITED STATES MARSHAL  You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant, in the event and only in the event the defendant fails to appear on November 27, 1989 at 9:00 a.m., Room 4536, U.S. Court-house, Tulsa, Oklahoma before Magistrate Jeff Wolfe.			
Nov. 21, 1989 Date		Joseph W. Bartunek United States Judge or Magistrate Joseph W. Bartunek	
RETURN I hereby certify that this instrument is a true and correct copy of the original on file in my office.			
This commitment was received and executed as follows:			
DATE COMMITMENT ORDER RECEIVED	PLACE OF COMMITMENT	DATE DEFENDANT COMMITTED	
DATE	UNITED STATES MARSHAL	DEPUTY MARSHAL	
By: <i>C. E. Niel</i> Deputy Clerk			

FILED  
CLERK'S OFFICE  
NOV 21 AM 10:00  
NORTHERN DISTRICT OF OKLAHOMA

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

U.S.A.

V.

**NOTICE**

DAVID ROYSE LADD

CASE NUMBER: 89-CR-83-05-E

## TYPE OF CASE:

☐ CIVIL☒ CRIMINAL

TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:

## PLACE

U S COURTHOUSE  
TULSA OKLAHOMA

## ROOM NO.

COURTROOM #2

## DATE AND TIME

JANUARY 16, 1990, 9:30 A.M.

## TYPE OF PROCEEDING

JURY TRIAL



TAKE NOTICE that the proceeding in this case has been continued as indicated below:

## PLACE

DATE AND TIME PREVIOUSLY  
SCHEDULEDCONTINUED TO, DATE  
AND TIMEJACK C. SILVER, CLERK

U.S. MAGISTRATE OR CLERK OF COURT

11-27-89

DATE

Beverly McCullough

(BY) DEPUTY CLERK

To: FPD  
Defendant  
Jack Morgan

NOTE: DEFENDANT MOTIONS DUE: 12-11-89  
GOVERNMENT RESPONSES DUE: 12-21-89  
CERTIFICATION TO COURT OF ANY DISCOVERY DISPUTES DUE: 12-27-89  
PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 1-3-90, 1:00 P.M.  
REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 1-9-90

MINUTE SHEET - SENTENCING

CR. CASE NO. 89-CR-83-06  
DATE 11-21-89 USA vs. Michael Steven Hall (AGE)       

SENTENCING

JUDGE COOK	Deputy R. Miller	Reporter Simpson
JUDGE ELLISON <u>✓</u>	Deputy McCullough	Reporter Dorrough <u>✓</u>
JUDGE BRETT	Deputy Overton	Reporter Caslavka
JUDGE	Deputy <u>Testudo</u>	Reporter

Counsel for Plaintiff Jack Morgan  
Counsel for Defendant Lloyd Booth  
Retained; Court Appointed; (FPD)

MINUTE: Enter as above.

Defendant appears in person with counsel. Counsel waived.

✓ Defendant and counsel asked if they care to say anything before sentence is pronounced, and no cause to the contrary being shown,

Sentenced to the custody of \_\_\_\_\_ as to Counts 1

Imposition of sentence suspended - Probation \_\_\_\_\_ as to Counts \_\_\_\_\_

1 yr 1 day 5 yrs sup release, no fine  
\$50.00 SA - report to designated institution 1-2-90 by 12:00; bond remains

18:3553 Findings re PSI/Sentence made, Transcript Ordered

Sentence re: Guidelines; within same; Departure; Upward/Downward,  
Findings Made

Bond Exonerated.

Defendant advised of right to appeal. \_\_\_\_\_

Defendant gives oral notice of appeal. \_\_\_\_\_

Appeal bond set at \_\_\_\_\_  
(cash or surety)

Remanded to custody of U. S. Marshal. \_\_\_\_\_

ADDITIONAL MINUTES: \_\_\_\_\_

RECEIVED  
UNIT

89 OCT 26 AM 11:48  
UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

NORTHERN DISTRICT  
OF OKLAHOMA

UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. )  
KENT PATRICK THIMMESCH a/k/a )  
PAUL RICHARD LASSLEY, )  
Defendant. )

FILED  
IN OPEN COURT

OCT 25 1989

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

No. 89-CR-83-02-E ✓


FILED

NOV 30 1989

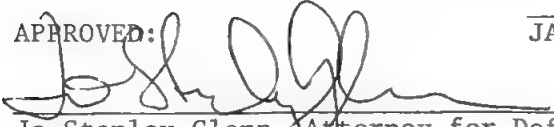
WAIVER OF EXTRADITION TO KANSAS

Jack C. Silver, Clerk  
U. S. DISTRICT COURT


COMES now the undersigned Kent Patrick Thimmesch a/k/a Paul Richard Lassley, and hereby agrees to be removed to the State of Kansas for the purpose of parole violation. Further, Thimmesch a/k/a Lassley does hereby waive any removal hearing or extradition hearing to which he may be entitled and understands and agrees that the Indictment pending herein will not be formally dismissed until such time as authorities from the State of Kansas arrive to so remove him within thirty (30) days hereof. During such time as the Indictment remains pending against this defendant this case will remain upon the jury docket for trial, and the requirements of a speedy trial are waived.

  
KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY

Subscribed and sworn to before me this 25<sup>th</sup> day of October, 1989.

APPROVED:   
Jo Stanley Glenn, Attorney for Deft.

  
John S. Morgan, Asst. U.S. Attorney

  
JAMES O. ELLISON, U.S. District Judge

United States District Court ) ss  
Northern District of Oklahoma )  
I hereby certify that the foregoing  
is a true copy of the original on file  
in this Court.

Jack C. Silver, Clerk

AMCA 11 

**MINUTE SHEET - SENTENCING**

CR. CASE NO. 89-CR-83-03

DATE 11-21-89 USA vs. Garen Eugene Hale, Jr. (AGE)

## SENTENCING

JUDGE COOK	Deputy R. Miller	Reporter Simpson
JUDGE ELLISON ✓	Deputy McCullough	Reporter Dorrough ✓
JUDGE BRETT	Deputy Overton	Reporter Caslavka
JUDGE	Deputy <i>Kesterman</i>	Reporter

Counsel for Plaintiff Jack Morgan

Counsel for Defendant ~~Robert Bruce~~ Jim Nesley  
Retained; Court Appointed; FPD

MINUTE: Enter as above.

Defendant appears in person with counsel.

Counsel waived.

✓ Defendant and counsel asked if they care to say anything before sentence is pronounced, and no cause to the contrary being shown,

Sentenced to the custody of \_\_\_\_\_ as to Counts \_\_\_\_\_

16 months, no fine, 5 yrs paper release #50 5H

report by 1-2-90, 12:00 noon, bond remains

Imposition of sentence suspended - Probation \_\_\_\_\_ as to Counts \_\_\_\_\_

18:3553 Findings re PSI/Sentence made, Transcript Ordered

Sentence re: Guidelines; within same; Departure; Upward/Downward,  
Findings Made

Bond Exonerated.

Defendant advised of right to appeal. \_\_\_\_\_

Defendant gives oral notice of appeal. \_\_\_\_\_

Appeal bond set at \_\_\_\_\_  
(cash or surety)

Remanded to custody of U. S. Marshal.

ADDITIONAL MINUTES: \_\_\_\_\_

CR-3:6/89

1. JURISDICTION 1 <input checked="" type="checkbox"/> MAG. 2 <input type="checkbox"/> DIST. 3 <input type="checkbox"/> APPEALS 4 <input type="checkbox"/> OTHER		2. MAG. DOCKET NO.		3. DIST. CT. C ET NO. <b>89-CR-83-E</b>		VOUCHER NO. <b>0154895</b>	
4. APPEALS DOCKET NO.		5. FOR (DISTRICT/CIRCUIT) <b>ND OKLAHOMA</b>		6. LOC. CODE <b>OKFTU</b>		7. CHARGE/OFFENSE (U.S. or other code citation) <b>21:846</b>	
8. IN THE CASE OF <b>USA</b> vs <b>David Ladd</b>				9. PERSON REPRESENTED (FULL NAME) <b>David Ladd</b>		9A. NO. REPRES. <b>1</b>	
10. PERSON REPRESENTED (STATUS) 1 <input checked="" type="checkbox"/> DEFENDANT-ADULT 3 <input type="checkbox"/> APPELLANT 5 <input type="checkbox"/> OTHER 2 <input type="checkbox"/> DEFENDANT-JUVENILE 4 <input type="checkbox"/> APPELLEE				11. PROCEEDINGS (Describe briefly)  <b>All Proceedings</b>			
12. PAYMENT CATEGORY A <input checked="" type="checkbox"/> FELONY C <input type="checkbox"/> PETTY OFFENSE E <input type="checkbox"/> OTHER B <input type="checkbox"/> MISDEMEANOR D <input type="checkbox"/> APPEAL				<div style="text-align: center; font-size: 2em; font-weight: bold;">FILED</div> <div style="text-align: right; font-weight: bold;">NOV 28 1989</div>			
13. COURT ORDER O <input type="checkbox"/> Appointing Counsel F <input checked="" type="checkbox"/> Subs. for FD P <input type="checkbox"/> Subs. for Panel Atty. C <input type="checkbox"/> Co-Counsel R <input type="checkbox"/> Subs. for Retained Atty. Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in item 14 is appointed to represent this person in this case.							
Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy) <b>November 28, 1989</b>				14. NAME OF ATTORNEY/SEEKING NAME MAILING ADDRESS <b>John E. Dowdell</b> <b>2900 Mid-Continent Tower</b> <b>Tulsa, Oklahoma 74104</b>			
Date of Order _____ Nunc Pro Tunc Date _____				15. TELEPHONE NO. <b>918/583-7571</b>		16. SOC. SEC. NO. <b>442-60-3716</b>	

**CLAIM FOR SERVICES OR EXPENSES**

		SERVICE	HOURS	DATES		
IN COURT	17. a.	Arraignment and/or Plea			Multiply rate per hour times total hours to obtain "In Court" compensation.  Enter total below.	
	b.	Bail and Detention Hearings				
	c.	Motions Hearings				
	d.	Trial				
	e.	Sentence Hearings				
	f.	Revocation Hearings				
	g.	Appeals Court				
	h.	Other (Specify on additional sheets)				
(Rate per hour = <b>\$60.00</b> ) TOTAL HOURS =					17A. TOTAL IN COURT COMP. \$	
OUT OF COURT	18. a.	Interviews and conferences			Multiply rate per hour times total hours. Enter total "out of court" compensation below.	
	b.	Obtaining and reviewing records				
	c.	Legal research and brief writing				
	d.	Travel time (Specify on additional sheets)				
	e.	Investigative and other work (Specify on additional sheets)				
	(Rate per hour = <b>\$40.00</b> ) TOTAL HOURS =					18A. TOTAL OUT OF COURT COMPENSATION \$
EXPENSES	19.	TRAVEL, LODGING, MEALS ETC.	AMOUNT	OTHER EXPENSES	AMOUNT	19A. TOTAL TRAVEL EXP. \$
						19B. TOTAL OTHER EXP. \$
						20. Gf AND TOTAL CLAIMED \$

## 21. CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD \_\_\_\_\_ TO \_\_\_\_\_

F ☐ Final Payment I ☐ Interim Payment No. \_\_\_\_\_Has compensation and/or reimbursement for work in this case previously been applied for? ☐ YES ☐ NOIf yes, were you paid? ☐ YES ☐ NO If yes, by whom were you paid? \_\_\_\_\_ How much? \_\_\_\_\_ Has the person represented paid any money to you, or to your knowledge to anyone else, in connection with the matter for which you were appointed to provide representation? ☐ YES ☐ NO

If yes, give details on additional sheets.

I swear or affirm the truth or correctness of the above statements

SIGNATURE OF ATTORNEY/PAYEE \_\_\_\_\_

DATE \_\_\_\_\_

APPROVED FOR PAYMENT	22. IN COURT COMP.	23. OUT OF COURT COMP.	24. TRAVEL EXPENSE	25. OTHER EXPENSES	26. TOTAL AMT. APPROVED/CERT.
	\$	\$	\$	\$	\$
	27. SIGNATURE OF PRESIDING JUDICIAL OFFICER			DATE	27A. JUDGE/MAG. CODE
28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR DELEGATE)			DATE	29. TOTAL AMT. APPROVED	\$



# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

U.S.A.

V.

**NOTICE**

BARBARA ANN MARTENEY

CASE NUMBER: 89-CR-83-04-E

TYPE OF CASE:

☐ CIVIL☒ CRIMINAL

TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:

PLACE

U. S. COURTHOUSE  
TULSA OK

ROOM NO.

COURTROOM #2

DATE AND TIME

JANUARY 26, 1990, 1:15 p.m.

TYPE OF PROCEEDING

SENTENCE



TAKE NOTICE that the proceeding in this case has been continued as indicated below:

PLACE

DATE AND TIME PREVIOUSLY  
SCHEDULEDCONTINUED TO, DATE  
AND TIME

JACK C. SILVER, CLERK

U.S. MAGISTRATE OR CLERK OF COURT

11-29-89

DATE

Beverly McCullough

(BY) DEPUTY CLERK

To: Defendant  
Ron Bennett  
Jack Morgan

10

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

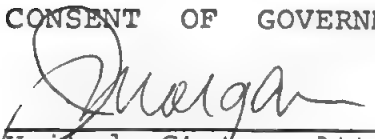
**FILED**  
**IN OPEN COURT**  
NOV 2 1989  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

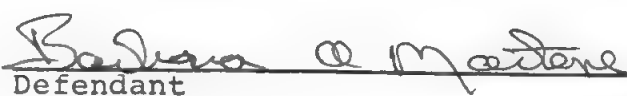
UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
BARBARA ANN MARTENEY )  
 )  
Defendant. )

Criminal Case  
No. 89-CR-83-04-E

WAIVER OF JURY

I, the undersigned defendant, having been fully apprised of my rights, do hereby waive a jury and agree to try the above-entitled case to the Court as provided by Rule 23(a), Rules of Criminal Procedure.

CONSENT OF GOVERNMENT:  
  
United States Attorney

  
Defendant

  
Attorney for Defendant

Signed and approved in open Court this 29 day of Nov., 1989.

  
UNITED STATES DISTRICT JUDGE

# United States District Court

NORTHERN District of OKLAHOMA

FILED  
NOV 21 1989

UNITED STATES OF AMERICA

V.

Loren Eugene Hall, Jr

## JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

Case Number 89-CR-083-003-E ✓

(Name of Defendant)

Jim Heslet  
Defendant's Attorney

### THE DEFENDANT:

- ☒ pleaded guilty to count(s) Count One of a Single Count Indictment  
☐ was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Count Number(s)
21 USC 846 & 841(a)(a)	Conspiracy to Manufacture, Possession With Intent to Distribute Methamphetamine	Count One

The defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) \_\_\_\_\_, and is discharged as to such count(s).  
☐ Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.  
☐ The mandatory special assessment is included in the portion of this Judgment that imposes a fine.  
☒ It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:

512-64-7511

Defendant's mailing address:

211 Overlook Drive

Derby, Kansas 67037

Defendant's residence address:

Same as above

November 21, 1989

Date of Imposition of Sentence

*James O. Ellison*  
 Signature of Judicial Officer  
 The Honorable James O. Ellison  
 United States District Judge

Name & Title of Judicial Officer

Date

38

Defendant: **Loren Eugene Hall, Jr.**  
Case Number: **89-CR-083-003-E**

Judgment—Page 2 of 4

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of Sixteen (16) months.

☐ The Court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district,

☐ at \_\_\_\_\_ a.m.  
\_\_\_\_\_ p.m. on \_\_\_\_\_.

☐ as notified by the Marshal.

☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons

☒ before ~~2:00 p.m.~~ 12:00 Noon on January 2, 1990

☐ as notified by the United States Marshal.

☐ as notified by the Probation Office.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_  
\_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: **Loren Eugene Hall, Jr.**  
Case Number: **89-CR-083-003-E**

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall not possess a firearm, or any other dangerous weapon.  
These conditions are in addition to any other conditions imposed by this Judgment.
- 16) The defendant shall submit to urinalysis as directed by the probation office.

Defendant: **Loren Eugene Hall, Jr**  
Case Number: **89-CR-083-003-E**

### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of Five (5) years

While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

N/A

MINUTE SHEET - CRIMINAL

CR. CASE NO. 89-CR-83-04-E

DATE 11-29-89 USA vs. Barbara Ann Martiney (AGE) \_\_\_\_\_

ARRAIGNMENT &/OR CHANGE OF PLEA

JUDGE COOK _____	Deputy R. Miller _____	Reporter Simpson _____
JUDGE ELLISON <u>✓</u>	Deputy McCullough _____	Reporter Dorrough <u>✓</u>
JUDGE BRETT _____	Deputy Overton _____	Reporter Caslavka _____
MAG. WAGNER _____	Deputy J. Miller _____	Reporter _____
_____	<u>Deputy, C. Smith</u> <u>✓</u>	Recorded _____
MAG. WOLFE _____	Deputy Mayes _____	Reporter _____
_____	_____	Recorded _____

Counsel for Government Jack Morgan  
 Counsel for Defendant Ron Bennett  
 Retained; Court Appointed; FPD

Defendant appears in person with counsel; without counsel; counsel waived  
 Defendant acknowledges receipt of Indictment; Information  
 Waives Indictment; jury trial; 30 days preparation; separate representation  
 Waivers approved by Court

Defendant advised of charge and arraigned

Indictment, Superseding Indictment; Information; Superseding Information;  
 Filed; read/reading waived

Enter plea of Guilty as to Counts 1

Defendant withdraws plea(s) of Not Guilty to Counts \_\_\_\_\_

Counts \_\_\_\_\_ to be dismissed at sentence

Petition to enter plea of guilty sworn to and executed; Defendant relates  
 facts of charge; petition (and/or Plea Agreement) approved and filed

Defendant adjudged guilty as charged in Counts \_\_\_\_\_

Findings re: Plea Agreement; Made/Reserved

Objections to PSI to be filed by \_\_\_\_\_

Rule 32 hearing set \_\_\_\_\_

SENTENCE SET Jan 26, 1990, 1:15 P.M. PSI ordered

Defendant allowed to stand on present bond; Defendant remanded to USM  
Δ allowed to continue living in Dallas area until sentencing. to be assigned.  
 Defendant(s) to file any and all pre-trial motions Probation officer  
 \_\_\_\_\_ Government to respond  
 \_\_\_\_\_ Certification of Discovery Disputes  
 \_\_\_\_\_ Pre-trial conference & hearing on motions at \_\_\_\_\_  
 \_\_\_\_\_ Parties to file any suggested voir dire, inst. & trial briefs  
 \_\_\_\_\_ Jury trial; Non-Jury trial at \_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED  
NOV 21 1989 *dt*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL STEVEN HALL,

Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)

Crim. No. 89-CR-83-06-E ✓

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

MEMORANDUM OF SENTENCING HEARING  
AND REPORT OF STATEMENT OF REASONS

Counsel and the Defendant were present for sentencing hearing on Nov. 21, 1989. The matters set forth were reviewed and considered. The reasons for sentence, 18 U.S.C. 3553(c), as set forth herein, were stated in open court.

1. Was the presentence investigation report (PSI) reviewed by counsel and Defendant?<sup>1</sup>

X Yes      \_\_\_ No

2. (a) Was information withheld pursuant to FRCP 32(c)(3)(A)?

\_\_\_ Yes      X No

- (b) If yes, has summary been provided by the Court pursuant to FRCP 32(c)(3)(B)?

\_\_\_ Yes      \_\_\_ No

3. (a) Were all factual statements contained in the PSI adopted without objection?

X Yes      \_\_\_ No

---

<sup>1</sup>NOTE: Several of these questions can be addressed by attaching a partial transcript of the sentencing hearing or guideline worksheets. For other items where you need more space, please attach separate pages.



If no, the PSI was adopted in part with the exception of the following factual issues in dispute:

\*

(A copy of the adopted portions of the PSI should be attached and made part of the public record.)

(b) Disputed issues have been resolved as follows after \_\_\_\_ evidentiary hearing, \_\_\_\_ further submissions and/or \_\_\_\_ arguments:

4. Are any legal issues in dispute? \_\_\_\_ Yes   X   No

If yes, describe disputed issues and their resolution:

\*

5. (a) Is there any dispute as to guideline applications (such as offense level, criminal history category, fine or restitution) as stated in the PSI?

  X   Yes \_\_\_\_ No

If yes, describe disputed areas and their resolution:

Dispute over amount of methamphetamine created during portion of conspiracy for which Defendant feels responsible. Resolved in favor of government.

(b) Tentative findings as to applicable guidelines are:

Total Offense Level:       32        
Criminal History Category:       I        
  121   to   151   months imprisonment  
   3    to    5    years supervised release  
\$ 280,000.00 to \$ 1,000,000.00 fine  
(plus cost of imprisonment/supervision  
\$   n/a   restitution  
\$    50    special assessment (\$            on each of counts       )

6. (a) Are there any legal objections to the tentative findings?

\_\_\_\_ Yes   X   No

(b) If no, the findings are adopted by the Court.

(c) If yes, describe objections and how they were addressed:

\*

7. Check appropriate space:

X Remarks by counsel for Defendant. (The order of argument and/or recommendations and allocution may be altered in accord with the Court's practice.)

\_\_\_ Defendant speaks on own behalf.

X Remarks by counsel for Government.

8. The sentence will be imposed in accordance with prescribed forms in Bench Book Sec. 5.02 as follows:

12 Months and one day imprisonment

\_\_\_ Months/intermittent community confinement

\_\_\_ Months probation

5 Years supervised release

\$ \_\_\_\_\_ Fine (including cost of imprisonment/supervision)

\$ \_\_\_\_\_ Restitution

\$ 50.00 Special assessment (\$ \_\_\_\_\_ on each of counts \_\_\_\_\_)

Other provisions of sentence (Community service, forfeiture, etc.):

\*

9. Check appropriate space:

(a) \_\_\_ The sentence is within the guideline range and that range does not exceed 24 months, and the Court finds no reason to depart from the sentence called for by application of the guidelines.

OR \_\_\_ The sentence is within the guideline range and that range exceeds 24 months, and the reasons for imposing the selected sentence are:

\*

(b) x Sentence departs from the guideline range as a result of:

x substantial cooperation upon motion of the government

OR

\_\_\_ a finding that the following (aggravating or mitigating) circumstance exists that is of a kind or degree not adequately taken

into consideration by the Sentencing Commission in formulating the guidelines and that should result in a sentence different from that described by the guidelines for the following reasons:

\*

- (c) Is **restitution** applicable in this case? ☐ Yes ☒ No  
Is full restitution imposed? ☐ Yes ☐ No  
If no, less than full restitution is imposed for the following reasons:

\*

- (d) Is a **fine** applicable in this case? ☒ Yes ☐ No  
Is the fine within the guidelines imposed? ☐ Yes ☐ No  
If no, the fine is not within guidelines or no fine is imposed for the following reasons:

- ☒ Defendant is not able, and even with the use of a reasonable installment schedule is not likely to become able, to pay all or part of the required fine; or  
☐ Imposition of a fine would unduly burden the Defendant's dependents; or  
☐ Other reasons as follows:

■

10. Was a **plea agreement** submitted in this case? ☒ Yes ☐ No

Check appropriate space:

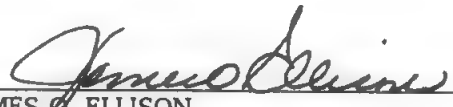
- ☒ The Court has accepted a Rule 11(e)(1)(A) charge agreement because it is satisfied that the agreement adequately reflects the seriousness of the actual offense behavior and accepting the plea agreement will not undermine the statutory purposes of sentencing.  
☐ The Court has accepted either a Rule 11(e)(1)(B) sentence recommendation or a Rule 11(e)(1)(C) sentence agreement that is within the applicable guideline range.  
☐ The Court has accepted either a Rule 11(e)(1)(B) sentence recommendation or a Rule 11(e)(1)(C) sentence agreement that departs from the applicable guideline range because the Court is satisfied that such a departure is authorized by 18 U.S.C. 3553(b).

11. Suggestions for guideline revisions resulting from this case are submitted by an attachment to this report.

☐ Yes ☒ No

12. The PSI is to be maintained by the U.S. Probation Office under seal. Those sections adopted and incorporated as part of this statement of reasons will be part of the public record.
13. The Clerk shall prepare the judgment.
14. The Clerk will provide this Memorandum of Sentencing Hearing and Report of Statement of Reasons to the U.S. Probation Department for forwarding to the Sentencing Commission, and if the above sentence includes a term of imprisonment, to the Bureau of Prisons.

DATED this 21<sup>st</sup> day of November, 1989.

  
JAMES C. ELLISON  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

NOV 21 1989

alt

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LOREN EUGENE HALL, JR.,

Defendant.

Crim. No. 89-CR-83-03-E ✓

MEMORANDUM OF SENTENCING HEARING  
AND REPORT OF STATEMENT OF REASONS

Counsel and the Defendant were present for sentencing hearing on Nov. 21, 1989. The matters set forth were reviewed and considered. The reasons for sentence, 18 U.S.C. 3553(c), as set forth herein, were stated in open court.

1. Was the presentence investigation report (PSI) reviewed by counsel and Defendant?<sup>1</sup>

X Yes      \_\_\_ No

2. (a) Was information withheld pursuant to FRCrP 32(c)(3)(A)?

\_\_\_ Yes      X No

- (b) If yes, has summary been provided by the Court pursuant to FRCrP 32(c)(3)(B)?

\_\_\_ Yes      \_\_\_ No

3. (a) Were all factual statements contained in the PSI adopted without objection?

X Yes      \_\_\_ No

<sup>1</sup>NOTE: Several of these questions can be addressed by attaching a partial transcript of the sentencing hearing or guideline worksheets. For other items where you need more space, please attach separate pages.

If no, the PSI was adopted in part with the exception of the following factual issues in dispute:

\*

(A copy of the adopted portions of the PSI should be attached and made part of the public record.)

(b) Disputed issues have been resolved as follows after \_\_\_\_ evidentiary hearing, \_\_\_\_ further submissions and/or \_\_\_\_ arguments:

4. Are any legal issues in dispute? \_\_\_\_ Yes   X   No

If yes, describe disputed issues and their resolution:

\*

5. (a) Is there any dispute as to guideline applications (such as offense level, criminal history category, fine or restitution) as stated in the PSI?

  X   Yes \_\_\_\_ No

If yes, describe disputed areas and their resolution:

Dispute over amount of methamphetamine created during portion of conspiracy for which Defendant feels responsible. Resolved in favor of government.

(b) Tentative findings as to applicable guidelines are:

Total Offense Level:   32    
Criminal History Category:   X    
 188  to  235  months imprisonment  
  5   years supervised release  
\$ 280,000.00 to \$ 1,000,000.00 fine  
(plus cost of imprisonment/supervision)  
\$  n/a  restitution  
\$   50  special assessment (\$            on each of counts       )

6. (a) Are there any legal objections to the tentative findings?

\_\_\_\_ Yes   X   No

(b) If no, the findings are adopted by the Court.

(c) If yes, describe objections and how they were addressed:

\*

7. Check appropriate space:

X Remarks by counsel for Defendant. (The order of argument and/or recommendations and allocution may be altered in accord with the Court's practice.)

X Defendant speaks on own behalf.

X Remarks by counsel for Government.

8. The sentence will be imposed in accordance with prescribed forms in Bench Book Sec. 5.02 as follows:

16 Months imprisonment

\_\_\_ Months/intermittent community confinement

\_\_\_ Months probation

5 Years supervised release

\$ \_\_\_ Fine (including cost of imprisonment/supervision)

\$ \_\_\_ Restitution

\$ 50.00 Special assessment (\$ \_\_\_ on each of counts \_\_\_)

Other provisions of sentence (Community service, forfeiture, etc.):

\*

9. Check appropriate space:

(a) \_\_\_ The sentence is within the guideline range and that range does not exceed 24 months, and the Court finds no reason to depart from the sentence called for by application of the guidelines.

OR \_\_\_ The sentence is within the guideline range and that range exceeds 24 months, and the reasons for imposing the selected sentence are:

\*

(b) x Sentence departs from the guideline range as a result of:

x substantial cooperation upon motion of the government

OR

\_\_\_ a finding that the following (aggravating or mitigating) circumstance exists that is of a kind or degree not adequately taken

into consideration by the Sentencing Commission in formulating the guidelines and that should result in a sentence different from that described by the guidelines for the following reasons:

\*

(c) Is **restitution** applicable in this case? ☐ Yes ☒ No

Is full restitution imposed? ☐ Yes ☐ No

If no, less than full restitution is imposed for the following reasons:

\*

(d) Is a **fine** applicable in this case? ☒ Yes ☐ No

Is the fine within the guidelines imposed? ☐ Yes ☐ No

If no, the fine is not within guidelines or no fine is imposed for the following reasons:

☒ Defendant is not able, and even with the use of a reasonable installment schedule is not likely to become able, to pay all or part of the required fine; or

☐ Imposition of a fine would unduly burden the Defendant's dependents; or

☐ Other reasons as follows:

\*

10. Was a **plea agreement** submitted in this case? ☒ Yes ☐ No

Check appropriate space:

☒ The Court has accepted a Rule 11(e)(1)(A) charge agreement because it is satisfied that the agreement adequately reflects the seriousness of the actual offense behavior and accepting the plea agreement will not undermine the statutory purposes of sentencing.

☐ The Court has accepted either a Rule 11(e)(1)(B) sentence recommendation or a Rule 11(e)(1)(C) sentence agreement that is within the applicable guideline range.

☐ The Court has accepted either a Rule 11(e)(1)(B) sentence recommendation or a Rule 11(e)(1)(C) sentence agreement that departs from the applicable guideline range because the Court is satisfied that such a departure is authorized by 18 U.S.C. 3553(b).


11. Suggestions for guideline revisions resulting from this case are submitted by an attachment to this report.

☐ Yes ☒ No



12. The PSI is to be maintained by the U.S. Probation Office under seal. Those sections adopted and incorporated as part of this statement of reasons will be part of the public record.
13. The Clerk shall prepare the judgment.
14. The Clerk will provide this Memorandum of Sentencing Hearing and Report of Statement of Reasons to the U.S. Probation Department for forwarding to the Sentencing Commission, and if the above sentence includes a term of imprisonment, to the Bureau of Prisons.

DATED this 21<sup>ST</sup> day of November, 1989.

  
\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

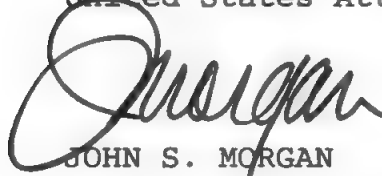
FILED  
NOV 10 1929  
U.S. DISTRICT COURT

NO. 89-CR-83-03-E



Respectfully submitted,

TONY M. GRAHAM  
United States Attorney



JOHN S. MORGAN  
Assistant United States Attorney  
3600 U.S. Courthouse  
333 West Fourth Street  
Tulsa, Oklahoma 74013

CERTIFICATE OF SERVICE

This is to certify that on the 15 day of November, 1989, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Jim Heslet, Esq., 5561 S. Lewis, Suite 200, Tulsa, Oklahoma 74105.



Assistant United States Attorney

JSM:ddb

1 1 1 1 1

NOV 15 1989

100  
 101  
 102  
 103  
 104  
 105  
 106  
 107  
 108  
 109  
 110  
 111  
 112  
 113  
 114  
 115  
 116  
 117  
 118  
 119  
 120  
 121  
 122  
 123  
 124  
 125  
 126  
 127  
 128  
 129  
 130  
 131  
 132  
 133  
 134  
 135  
 136  
 137  
 138  
 139  
 140  
 141  
 142  
 143  
 144  
 145  
 146  
 147  
 148  
 149  
 150  
 151  
 152  
 153  
 154  
 155  
 156  
 157  
 158  
 159  
 160  
 161  
 162  
 163  
 164  
 165  
 166  
 167  
 168  
 169  
 170  
 171  
 172  
 173  
 174  
 175  
 176  
 177  
 178  
 179  
 180  
 181  
 182  
 183  
 184  
 185  
 186  
 187  
 188  
 189  
 190  
 191  
 192  
 193  
 194  
 195  
 196  
 197  
 198  
 199  
 200  
 201  
 202  
 203  
 204  
 205  
 206  
 207  
 208  
 209  
 210  
 211  
 212  
 213  
 214  
 215  
 216  
 217  
 218  
 219  
 220  
 221  
 222  
 223  
 224  
 225  
 226  
 227  
 228  
 229  
 230  
 231  
 232  
 233  
 234  
 235  
 236  
 237  
 238  
 239  
 240  
 241  
 242  
 243  
 244  
 245  
 246  
 247  
 248  
 249  
 250  
 251  
 252  
 253  
 254  
 255  
 256  
 257  
 258  
 259  
 260  
 261  
 262  
 263  
 264  
 265  
 266  
 267  
 268  
 269  
 270  
 271  
 272  
 273  
 274  
 275  
 276  
 277  
 278  
 279  
 280  
 281  
 282  
 283  
 284  
 285  
 286  
 287  
 288  
 289  
 290  
 291  
 292  
 293  
 294  
 295  
 296  
 297  
 298  
 299  
 300  
 301  
 302  
 303  
 304  
 305  
 306  
 307  
 308  
 309  
 310  
 311  
 312  
 313  
 314  
 315  
 316  
 317  
 318  
 319  
 320  
 321  
 322  
 323  
 324  
 325  
 326  
 327  
 328  
 329  
 330  
 331  
 332  
 333  
 334  
 335  
 336  
 337  
 338  
 339  
 340  
 341  
 342  
 343  
 344  
 345  
 346  
 347  
 348  
 349  
 350  
 351  
 352  
 353  
 354  
 355  
 356  
 357  
 358  
 359  
 360  
 361  
 362  
 363  
 364  
 365  
 366  
 367  
 368  
 369  
 370  
 371  
 372  
 373  
 374  
 375  
 376  
 377  
 378  
 379  
 380  
 381  
 382  
 383  
 384  
 385  
 386  
 387  
 388  
 389  
 390  
 391  
 392  
 393  
 394  
 395  
 396  
 397  
 398  
 399  
 400  
 401  
 402  
 403  
 404  
 405  
 406  
 407  
 408  
 409  
 410  
 411  
 412  
 413  
 414  
 415  
 416  
 417  
 418  
 419  
 420  
 421  
 422  
 423  
 424  
 425  
 426  
 427  
 428  
 429  
 430  
 431  
 432  
 433  
 434  
 435  
 436  
 437  
 438  
 439  
 440  
 441  
 442  
 443  
 444  
 445  
 446  
 447  
 448  
 449  
 450  
 451  
 452  
 453  
 454  
 455  
 456  
 457  
 458  
 459  
 460  
 461  
 462  
 463  
 464  
 465  
 466  
 467  
 468  
 469  
 470  
 471  
 472  
 473  
 474  
 475  
 476  
 477  
 478  
 479  
 480  
 481  
 482  
 483  
 484  
 485  
 486  
 487  
 488  
 489  
 490  
 491  
 492  
 493  
 494  
 495  
 496  
 497  
 498  
 499  
 500  
 501  
 502  
 503  
 504  
 505  
 506  
 507  
 508  
 509  
 510  
 511  
 512  
 513  
 514  
 515  
 516  
 517  
 518  
 519  
 520  
 521  
 522  
 523  
 524  
 525  
 526  
 527  
 528  
 529  
 530  
 531  
 532  
 533  
 534  
 535  
 536  
 537  
 538  
 539  
 540  
 541  
 542  
 543  
 544  
 545  
 546  
 547  
 548  
 549  
 550  
 551  
 552  
 553  
 554  
 555  
 556  
 557  
 558  
 559  
 560  
 561  
 562  
 563  
 564  
 565  
 566  
 567  
 568  
 569  
 570  
 571  
 572  
 573  
 574  
 575  
 576  
 577  
 578  
 579  
 580  
 581  
 582  
 583  
 584  
 585  
 586  
 587  
 588  
 589  
 590  
 591  
 592  
 593  
 594  
 595  
 596  
 597  
 598  
 599  
 600  
 601  
 602  
 603  
 604  
 605  
 606  
 607  
 608  
 609  
 610  
 611

No. 89-CR-83-06-E

No. 89-CR-83-06-E

No. 89-CR-83-06-E



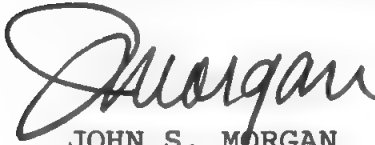
This defendant, Michael Steven Hall, has made a good faith effort to provide substantial assistance in the investigation and/or prosecution of other persons who have committed federal offenses.

Pursuant to the provisions of the Sentencing Guidelines §5K1.1, the government moves for the Court to depart from the guidelines to grant this defendant an appropriate reduction in sentence.

Reasons for the Court to consider such a downward departure, is the conduct of the defendant, which conduct, for security reasons, should be presented in camera, to the Court at time of sentencing, or any other time so ordered.

Respectfully submitted,

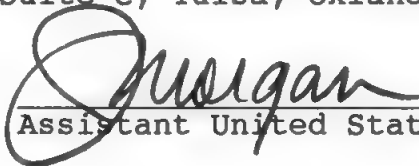
TONY M. GRAHAM  
United States Attorney



JOHN S. MORGAN  
Assistant United States Attorney  
3600 U.S. Courthouse  
333 West Fourth Street  
Tulsa, Oklahoma 74013

CERTIFICATE OF SERVICE

This is to certify that on the 15 day of November, 1989, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: David Booth, Esq., Federal Public Defender, 222 South Houston, Suite C, Tulsa, Oklahoma 74127.



Assistant United States Attorney

JSM:ddb

16

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

107 15 200

alt

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.

No. 89-CR-83-06-E ✓

MICHAEL STEPHEN HALL, et al.,  
Defendants.

OBJECTION TO PRESENTENCE REPORT

Pursuant Local Rule 33.1, Defendant Michael Stephen Hall makes his specific objections to the presentence report.

Paragraph 5 states, inter alia, "In the summer of 1987, this conspiracy was initiated between Loren Hall, Sr., and David R. Ladd....The conspiracy eventually grew to include Michael Hall....Eugene Gruver, a friend of [another defendant] joined the conspiracy in September, 1988, followed by Loren Hall, Jr., and Michael Hall in the same general time frame, after being recruited by their father and companion defendant Loren E. Hall, Sr. Loren E. Hall, Sr., [the father] initially enticed his family's participation in the conspiracy with occasional gifts and displaying large sums of money. Case reports indicate precursor chemical purchases and laboratory analysis of chemicals seized reflect a conservative total of 28 pounds of methamphetamine could have been produced during the course of the total conspiracy with a street value of \$280,000."

Based on the preceding, defendant Michael Hall's total offense level has been calculated as 32, and the guideline imprisonment range is 121 to 151 months. See paragraphs 5, 8, 13, 15, and 25.

Defendant Michael Hall objects to the imposition of a sentence above or within the previously reference 121 to 151 month range. It is clear from the presentence report that this defendant was not involved in the conspiracy as long as some of the others and that his role in the offense was less than that of some of the others. He is being treated as if he was involved in the conspiracy from its inception and as if his role in the offense was the same as that of the others. Although the guideline scheme may require similar sentences for conspirators, the guideline scheme as applied to defendant Michael Hall is unfair as applied and deprives him of due process and subjects him to cruel and unusual punishment. His sentence, if above or within the guideline sentencing range is grossly disproportionate to the severity of the crime. Ingraham v. Wright, 430 U.S. 666, 668 (1977).

All calculations are based upon the premises that this defendant was involved in a conspiracy to manufacture and distribute 28 pounds of methamphetamine. The conclusion as to the amount is not based on evidence sufficient to support the conclusion of defendant Michael Hall's liability for 28 pounds. The presentence report is quite clear that Michael Hall entered the conspiracy more than one year after its inception. No distinction has been made between the amounts of methamphetamine manufactured before his entry into the conspiracy and the methamphetamine manufactured after his entry into the conspiracy. Additionally, the determination of 28 pounds is based upon conjecture, speculation, and estimation and thus is insufficient for the purpose of sentencing defendant Michael Hall.

Wherefore, defendant Michael Hall requests an evidentiary hearing to determine fairly and accurately the exact amount of methamphetamine for which he should be liable and to then have his guidelines recalculated accordingly.

Respectfully submitted,



David Booth  
Federal Public Defender  
222 South Houston  
Suite "C"  
Tulsa, Oklahoma 74127  
(918) 581-7656  
FTS 745-7656  
Counsel for Defendant  
Michael Stephen Hall

CERTIFICATE OF SERVICE

I hereby certify that on this the 13th day of November, 1989, I caused a true and correct copy of this Objection to Presentence Report to be hand delivered to the office of Mr. Jack Morgan, Assistant United States Attorney, counsel for Plaintiff, and to Mr. Melvin J. Fields, United States Probation Officer.



David Booth



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**F I L E D**

NOV 8 1989 *dt*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENT PATRICK THIMMESCH a/k/a  
Paul Richard Lassley,

Defendant.

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

) NO. ~~87~~-CR-83-02-E ✓

MOTION AND ORDER OF DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss the Indictment against KENT PATRICK THIMMESCH a/k/a Paul Richard Lassley, defendant.


TONY M. GRAHAM  
United States Attorney

  
Assistant United States Attorney

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the Indictment.

  
United States District Judge

DATE:

1. JURISDICTION 1 <input type="checkbox"/> MAG. 2 <input checked="" type="checkbox"/> DIST. 4 <input type="checkbox"/> OTHER		3 <input type="checkbox"/> APPEALS 4 <input type="checkbox"/> OTHER		2. MAG. DOCKET NO.		3. DIST. CT. D. T NO. <b>89-CR-63-E</b>		VOUCHER NO. <b>0154891</b>		
4. APPEALS DOCKET NO.		5. FOR (DISTRICT/CIRCUIT) <b>ND OKLAHOMA</b>		6. LOC. CODE <b>ORNTU</b>		7. CHARGE/OFFENSE (U.S. or other code citation) <b>21:841(a)(1)</b>		7A. CASE CODE <b>68</b>		
8. IN THE CASE OF <b>U.S.A.</b> vs <b>MARTENEY</b>						9. PERSON REPRESENTED (FULL NAME) <b>BARBARA ANN MARTENEY</b>			9A. NO. REPRES. <b>1</b>	
10. PERSON REPRESENTED (STATUS) 1 <input checked="" type="checkbox"/> DEFENDANT-ADULT 3 <input type="checkbox"/> APPELLANT 5 <input type="checkbox"/> OTHER 2 <input type="checkbox"/> DEFENDANT-JUVENILE 4 <input type="checkbox"/> APPELLEE						11. PROCEEDINGS (Describe briefly) <b>All Proceedings</b>				
12. PAYMENT CATEGORY A <input checked="" type="checkbox"/> FELONY C <input type="checkbox"/> PETTY OFFENSE E <input type="checkbox"/> OTHER B <input type="checkbox"/> MISDEMEANOR D <input type="checkbox"/> APPEAL						<b>FILED</b> <b>OCT 26 1989</b>				
13. COURT ORDER O <input checked="" type="checkbox"/> Appointing Counsel F <input type="checkbox"/> Subs. for FD P <input type="checkbox"/> Subs. for Panel Atty. C <input type="checkbox"/> Co-Counsel R <input type="checkbox"/> Subs. for Retained Atty. Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in item 14 is appointed to represent this person in this case.  Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy) <b>October 24, 1989</b> Date of Order Nunc Pro Tunc Date										
14. NAME OF ATTORNEY/PAYEE AND MAILING ADDRESS <b>Ronald C. Bennett</b> <b>P.O. Box 14070</b> <b>Tulsa, OK 74127</b>						15. TELEPHONE NO. <b>(918) 592-5592</b>				
						16. SOC. SEC. NO. <b>442-44-2036</b>				
<b>CLAIM FOR SERVICES OR EXPENSES</b>										
		SERVICE		HOURS		DATES		Multiply rate per hour times total hours to obtain "In Court" compensation. Enter total below.		
IN COURT	17.	a. Arraignment and/or Plea							17A. TOTAL IN COURT COMP. \$	
		b. Bail and Detention Hearings								
		c. Motions Hearings								
		d. Trial								
		e. Sentence Hearings								
		f. Revocation Hearings								
		g. Appeals Court								
		h. Other (Specify on additional sheets) (Rate per hour = <b>\$60</b> ) TOTAL HOURS =								
OUT OF COURT	18.	a. Interviews and conferences						Multiply rate per hour times total hours. Enter total "out of court" compensation below. 18A. TOTAL OUT OF COURT COMPENSATION \$		
		b. Obtaining and reviewing records								
		c. Legal research and brief writing								
		d. Travel time (Specify on additional sheets)								
		e. Investigative and other work (Specify on additional sheets) (Rate per hour = <b>\$40</b> ) TOTAL HOURS =								
EXPENSES	19.	TRAVEL, LODGING, MEALS ETC.		AMOUNT		OTHER EXPENSES		AMOUNT		
								19A. TOTAL TRAVEL EXP. \$		
								19B. TOTAL OTHER EXP. \$		
								20. GRAND TOTAL CLAIMED \$		
21. CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD _____ TO _____ F <input type="checkbox"/> Final Payment I <input type="checkbox"/> Interim Payment No. _____ Has compensation and/or reimbursement for work in this case previously been applied for? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, by whom were you paid? _____ How much? _____ Has the person represented paid any money to you, or to your knowledge to anyone else, in connection with the matter for which you were appointed to provide representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements SIGNATURE OF ATTORNEY/PAYEE _____ DATE _____										
APPROVED FOR PAYMENT	22. IN COURT COMP. \$		23. OUT OF COURT COMP. \$		24. TRAVEL EXPENSE \$		25. OTHER EXPENSES \$		26. TOTAL AMT. APPROVED/CERT. \$	
	27. SIGNATURE OF PRESIDING JUDICIAL OFFICER						DATE		27A. JUDGE/MAG. CODE	
	28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR DELEGATE)						DATE		29. TOTAL AMT. APPROVED \$	

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**  
**IN OPEN COURT**

OCT 25 1989 *B*

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,                    )  
  Plaintiff,                    )  
  )  
vs.    )  
  )  
KENT PATRICK THIMMESCH a/k/a                )  
    PAUL RICHARD LASSLEY,                    )  
  Defendant.                    )

No. 89-CR-83-02-E ✓

WAIVER OF EXTRADITION TO KANSAS

COMES now the undersigned Kent Patrick Thimmesch a/k/a Paul Richard Lassley, and hereby agrees to be removed to the State of Kansas for the purpose of parole violation. Further, Thimmesch a/k/a Lassley does hereby waive any removal hearing or extradition hearing to which he may be entitled and understands and agrees that the Indictment pending herein will not be formally dismissed until such time as authorities from the State of Kansas arrive to so remove him within thirty (30) days hereof. During such time as the Indictment remains pending against this defendant this case will remain upon the jury docket for trial, and the requirements of a speedy trial are waived.

*Kent Patrick Thimmesch* *Paul Richard Lassley*  
KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY

Subscribed and sworn to before me this 25<sup>th</sup> day of October,  
1989.

APPROVED:

*Jo Stanley Glenn*  
Jo Stanley Glenn, Attorney for Deft.

*James O. Ellison*  
JAMES O. ELLSION, U.S. District Judge

*John S. Morgan*  
John S. Morgan, Asst. U.S. Attorney

*Let's see  
a hint*

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

USA  
Plaintiff(s),

Case No. 89-CR-83-03-E

vs.

Date 10/25/89

Kent Patrick Thiemersch  
a/k/a Paul Richard Lassley

PROCEEDING Exigent of extradition

Defendant(s).

JUDGE COOK	Deputy R. Miller	Reporter Simpson
JUDGE BLISSON	Deputy McCullough	Reporter Dorrough
JUDGE BRETT	Deputy Overton	Reporter Caslavka
JUDGE	Deputy	Reporter

COUNSEL FOR: Plaintiff J. Morgan ✓  
Defendant Jo S. Glenn ✓

NOTES: This case will be dismissed once the St of KS takes custody of A.

Warrant of extradition to KS & for Speedy Trial

Case remains on trailing Jury dkt until A is in custody of KS authorities

✓  
B

**FILED**  
**INFORMATION SHEET**

10/24, 1989, Before Magistrate: Wagner (X) Wolfe ( )

Case No. 89-cr-83-01-E

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA v.

BAGBIA

A. MARTENCY

Defendant's Age 34 Sex F Date of Birth 4/30/55

Defendant's Address 213 E. First, Apt B

HUTCHINSON, Kan. 67501-05

(Phone #) 699-9402

Date of Arrest 10/10/89 Arrested by unic

✓ Bail Fixed \$ 20,000 (Cash or Surety) (10% Dep) (Unsecured)

✓ Bail Made \$ 20,000 (Cash or Surety) (10% Dep) (Unsecured)

Bail Not Made \_\_\_\_\_

✓ Special Conditions: (X) Report as Directed  
(X) Travel restricted to ND/OK and D of KANSAS  
( ) Refrain from possession of firearm, etc.  
(X) Successful participation in drug screening  
( ) \_\_\_\_\_  
( ) \_\_\_\_\_

Preliminary Exam: Date Scheduled \_\_\_\_\_ at \_\_\_\_\_

Arraignment: Date Scheduled \_\_\_\_\_ at \_\_\_\_\_

Defendant Requests Public Defender: yes (X) no ( )

✓ Defendant's Attorney: Ren Bennett (Ct. Apptd) (Retained)

P.O. Box 14070

Tulsa, OK 74159 (Phone #) 592-5592

Attorney for USA: S. Mowen

Remarks: Rule 40 in from Kansas.

✓ Minute: D appears for IA. Sinar Affid Rec'd, FPD  
appt + present. Arr also held, sched dates  
to be mld. Bond set executed + made.

( ) Defendant remanded to custody of U. S. Marshal.

# FINANCIAL AFFIDAVIT

CJA 23

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES ☒ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

IN THE CASE OF \_\_\_\_\_ vs. \_\_\_\_\_ FOR \_\_\_\_\_ AT \_\_\_\_\_

LOCATION NUMBER

PERSON REPRESENTED (Show your full name)

BARBARA MARTENE-1

- 1 ☒ Defendant—Adult
- 2 ☐ Defendant—Juvenile
- 3 ☐ Appellant
- 4 ☐ Probation Violator
- 5 ☐ Parole Violator
- 6 ☐ Habeas Petitioner
- 7 ☐ 2255 Petitioner
- 8 ☐ Material Witness
- 9 ☐ Other (Specify)

DOCKET NUMBERS  
Magistrate  
District Court  
89-CR-8304-E  
Court of Appeals

CHARGE/OFFENSE (describe if applicable & check box →)

☒ Felony  
☐ Misdemeanor

CAUSE TO MANUFACTURE  
METAMPHETAMINE 21:846

OCT 24 1989  
Jack C. Silver, Clerk  
U.S. DISTRICT COURT

## ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

### EMPLOYMENT

Are you now employed? ☒ Yes ☐ No ☐ Am Self Employed

Name and address of employer: EATON CESSNA, HUTCHINSON, KS.

IF YES, how much do you earn per month? \$ 620

IF NO, give month and year of last employment  
How much did you earn per month \$ \_\_\_\_\_

If married is your Spouse employed? ☐ Yes ☒ No

IF YES, how much does your Spouse earn per month \$ \_\_\_\_\_

If a minor under age 21, what is your Parents or Guardian's approximate monthly income \$ \_\_\_\_\_

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☐ Yes ☒ No

IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES

RECEIVED

SOURCES

### CASH

Have you any cash on hand or money in savings or checking account ☒ Yes ☐ No IF YES, state total amount \$ 5.00

### PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☒ Yes ☐ No

IF YES, GIVE VALUE AND DESCRIBE IT

VALUE

DESCRIPTION

500 77 CHEVROLET

### DEPENDENTS

MARITAL STATUS

- ☐ SINGLE  
☐ MARRIED  
☐ WIDOWED  
☒ SEPARATED OR DIVORCED

Total No. of Dependents  
1

List persons you actually support and your relationship to them

DAVID YEN OLD SON

### OBLIGATIONS & DEBTS

#### DEBTS & MONTHLY BILLS

(LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)

APARTMENT OR HOME:

Creditors

Total Debt

Monthly Payt.

\$  
\$  
\$  
\$

\$  
\$  
\$  
\$

I certify the above to be correct.

SIGNATURE OF DEFENDANT  
(OR PERSON REPRESENTED)

Barbara Martene-1

**WARNING:** A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

FILED

OCT 24 1989

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NO. 89-CR-83-04-E

-----  
BARBARA A. MARTENEY  
-----

Defendant(s)

ORDER APPOINTING COUNSEL

On this 24th day of OCTOBER, 19 89, the above-named having completed an affidavit as to financial ability to employ counsel, and upon review, the Court finds that the affiant(s) is/are financially unable to obtain counsel. In accordance with the Northern District of Oklahoma Plan for Implementing the Criminal Justice Act of 1984,

IT IS HEREBY ORDERED that the:

☐

Federal Public Defender is appointed to represent the following: \_\_\_\_\_ in all further proceedings unless and until relieved by order of the court.

☒

Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, as necessary, for appointment to represent the following: BARBARA A. MARTENEY.

☐

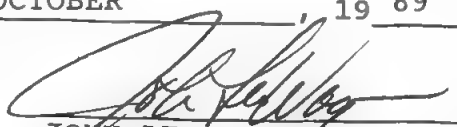
Defendant will reimburse the government for the reasonable cost of providing representation in accordance with his/her ability to pay as determined by further order of the court.

☐

Federal Public Defender is temporarily appointed to represent the following: \_\_\_\_\_

for purposes of initial appearance only.

Dated this 24th day of OCTOBER, 19 89.

  
JOHN LEO WAGNER  
UNITED STATES MAGISTRATE

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

U.S.A.

V.

NOTICE

BARBARA ANN MARTENEY

CASE NUMBER: 89-CR-83-04-E

## TYPE OF CASE:

☐ CIVIL☒ CRIMINAL

TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:

## PLACE

U S COURTHOUSE  
TULSA OKLAHOMA

## ROOM NO.

COURTROOM #2

## DATE AND TIME

DECEMBER 18, 1989, 9:30 AM.

## TYPE OF PROCEEDING

JURY TRIAL



TAKE NOTICE that the proceeding in this case has been continued as indicated below:

## PLACE

DATE AND TIME PREVIOUSLY  
SCHEDULEDCONTINUED TO, DATE  
AND TIME

10-24-89

## DATE

JACK C. SILVER, CLERK

U.S. MAGISTRATE OR CLERK OF COURT

Beverly McCullough

(BY) DEPUTY CLERK

To: Defendant  
Ron Bennett  
Jack Morgan

NOTE: DEFENDANT MOTIONS DUE: 11-6-89  
GOVERNMENT RESPONSES DUE: 11-14-89  
CERTIFICATION TO COURT OF ANY DISCOVERY DISPUTES DUE: 11-21-89  
PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 11-29-89, 9:00 A.M.  
REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 12-11-89



# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA  
V.

BARBARA ANN MARTENEY

8962 0707 0185D  
WARRANT FOR ARREST

CASE NUMBER:

89CR

83E✓

To: The United States Marshal  
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest BARBARA ANN MARTENEY  
Name

FILED

and bring him or her forthwith to the nearest magistrate to answer a(n)

NOV 2 1989

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

charging him or her with (brief description of offense)

Conspiracy to Manufacture; Possess with Intent to Distribute; and to Distribute  
Methamphetamine; Forfeiture

in violation of Title 21 United States Code, Section(s) 846, 841(a)(1), 853

JACK C. SILVER

Name of Issuing Officer

Title of Issuing Officer

Signature of Issuing Officer

Date and Location

JUL 06 1989

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_  
Name of Judicial Officer

## RETURN

This warrant was received and executed with the arrest of the above-named defendant at HUTCHINSON  
KANSAS.

DATE RECEIVED 07-06-89	NAME AND TITLE OF ARRESTING OFFICER RICHARD E. SCHAEFER INSPECTOR	SIGNATURE OF ARRESTING OFFICER <i>Richard E. Schaefer</i>
DATE OF ARREST 10-10-89		

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA  
V.

KENT PATRICK THIMMESCH  
a/k/a Paul Richard Lassley

89 62 0707 0183  
WARRANT FOR ARREST

CASE NUMBER:

89CR

83E ✓

To: The United States Marshal  
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest Kent Patrick Thimmesch a/k/a Paul R. Lassley  
Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Conspiracy to Manufacture; Possess with Inent to Distribute; and to Distribute  
Methamphetamine; Forfeiture

FILED  
JUL 2 1989

Jack C. Silver, Clerk  
U.S. District Court

in violation of Title 21 United States Code, Section(s) 846, 841(a)(1), 853

JACK C. SILVER

Name of Issuing Officer

Title of Issuing Officer

Signature of Issuing Officer

Date and Location

JUL 06 1989

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_  
Name of Judicial Officer

## RETURN

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

6161 Pierce St. Westminster, CO

DATE RECEIVED

8-8-89

NAME AND TITLE OF ARRESTING OFFICER

David S. Floyed

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

8-1-89

Deputy U.S. Marshal

David S. Floyed

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED  
IN OPEN COURT

JUL 5 1989

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

89CR 83E

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,  
KENT PATRICK THIMMESCH a/k/a  
PAUL RICHARD LASSLEY,  
LOREN EUGENE HALL, JR.  
BARBARA ANN MARTENEY,  
DAVID ROYSE LADD and  
MICHAEL STEVEN HALL,

Defendants.

No. \_\_\_\_\_

I N D I C T M E N T

[21 U.S.C. §§846, 841(a)(1):  
Conspiracy to Manufacture;  
Possess with Intent to  
Distribute; and to  
Distribute, Methamphetamine;  
21 U.S.C. §853: Forfeiture]

United States District Court )  
Northern District of Oklahoma ) SS  
I hereby certify that the foregoing  
is a true copy of the original on file  
in this Court.

THE GRAND JURY CHARGES:

Jack C. Silver, Clerk

By

Deputy

COUNT ONE

[21 U.S.C. §§846, 841(a)(1), 853]

A. INTRODUCTION

Beginning in or about September, 1987, and continuing through and including February 16, 1989, defendants LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL, and other co-conspirators, both known and unknown to the grand jury, did willfully and knowingly combine, conspire, confederate and agree to commit offenses against the United States in violation of Title 21, U.S.C., §846, as follows:

(1) To knowingly and intentionally manufacture methamphetamine, a Schedule II stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

(2) To knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21, U.S.C. §841(a)(1).

(3) To knowingly and intentionally distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

B. MEANS OF THE CONSPIRACY

The objects and means of the conspiracy were to be accomplished and were accomplished by the defendants, and other co-conspirators, as follows:

(1) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, and others both known and unknown to the grand jury, would and did knowingly purchase precursor chemicals in the Northern District of Oklahoma, and elsewhere, with the intent to manufacture mehtamphetamine.

(2) LOREN EUGENE HALL, JR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, and others both known and unknown to the grand jury, would and did knowingly transport precursor chemicals and laboratory equipment to be used in establishing clandestine laboratories for the manufacture of methamphetamine.

(3) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, MICHAEL STEVEN HALL, and others both known and unknown to the grand jury would and did knowingly manufacture methamphetamine.

(4) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, and others both known and unknown to the grand jury would and did knowingly distribute methamphetamine.

C. OVERT ACTS

To effect the objects of the conspiracy, the defendants named herein, and other co-conspirators, committed diverse overt acts within the Northern District of Oklahoma, and elsewhere, among which were the following:

(1) In or about September or October, 1987, LORAN EUGENE HALL, SR., and DAVID ROYSE LADD traveled from Balt Springs, Texas to Kansas for the purpose of manufacturing methamphetamine.

(2) In or about September or October, 1987, LORAN EUGENE HALL, SR., returned from Kansas to Texas with methamphetamine.

(3) In or about September or October, 1987, BARBARA ANN MARTENEY, in Texas, sold methamphetamine, and delivered money therefrom to LORAN EUGENE HALL, SR.

(4) In or about May or June, 1988, LORAN EUGENE HALL, SR., rented a farm near Scurry, Texas, for the purpose of manufacturing methamphetamine.

(5) In or about October or November, 1988, MICHAEL STEVEN HALL spilled meth oil on the floor of a shed in or near Mesquite, Texas, while loading articles in a truck.

(6) In or about October or November, 1988, LORAN EUGENE HALL, SR., and MICHAEL STEVEN HALL departed Mesquite, Texas, to manufacture methamphetamine.

(7) On or about October 28, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., inquired as to purchasing chemicals and glassware in Wichita, Kansas.

(8) On or about October 31, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., purchased chemicals and glassware in Tulsa, Oklahoma.

(9) On or about November 15, 1988, LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., and an unindicted co-conspirator purchased chemicals in Tulsa, Oklahoma.

(10) On or about November 28, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., Tulsa, Oklahoma, to advise that he would be coming or calling to place an order for 110 pounds of Ephedrine.

(11) On or about November 30, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., to inquire how much Ephedrine was in stock.

(12) In or about October or November, 1988, LORAN EUGENE HALL, SR., and BARBARA ANN MARTENEY diluted mehtamphetamine with Ephedrine, in or near Mesquite, Texas.

(13) In or about November or December, 1988, BARBARA ANN MARTENEY and LORAN HALL, SR., in Texas, sold methamphetamine for profit.

(14) On or about December 30, 1988, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.

(15) On or about January 10, 1989, an unindicted co-conspirator purchased chemicals and equipment from a chemical store in Tulsa, Oklahoma, for LORAN EUGENE HALL, SR.

(16) In or about January, 1989, MICHAEL STEVEN HALL transported laboratory glassware from or near Mesquite, Texas to or near Burns, Kansas.

(17) On or about February 2, 1989, LORAN EUGENE HALL, SR., at or near Mesquite, Texas, agreed to convert one gallon of meth oil to methamphetamine.

(18) On or about February 6, 1989, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.

(19) On or about February 15, 1989, in or near Mesquite, Texas, LOREN EUGENE HALL, JR., dictated to BARBARA ANN MARTENEY who wrote down a list of needed laboratory glassware and chemicals.

(20) On or about February 15, 1989, LOREN EUGENE HALL, JR., distributed methamphetamine in or near Mesquite, Texas.

(21) On or about February 15, 1989, LOREN EUGENE HALL, JR., possessed a firearm while distributing methamphetamine and discussing his clandestine laboratory.

(22) On or about February 15, 1989, DAVID ROYSE LADD and LOREN EUGENE HALL, JR., purchased five (5) gallons of Hydiodic Acid, 500 grams of Red Phosphorous and ten (10) pounds of Ephedrine at DFW Chemicals in Grand Prairie, Texas.

(23) On or about February 16, 1989, LOREN EUGENE HALL, JR., and an unidentified co-conspirator purchased laboratory equipment and glassware at DFW Chemicals in Grand Prairie.

(24) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICAHRD LASSLEY loaded chemicals, laboratory equipment and glassware onto a truck in Mesquite, Texas.

(25) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY transported firearms, chemicals, laboratory equipment and glassware from Texas through Oklahoma on their way to Kansas.

D. PROPERTY SUBJECT TO FORFEITURE

Forfeiture may and shall be ordered to the United States by the Court of the above defendant's following described property upon their individual and respective convictions herein, pursuant to Title 21, United States Code, §853:

(1) Any property constituting or derived from any proceeds any defendant obtained directly or indirectly, as the result of the violation herein.

(2) Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation herein.

A TRUE BILL

TONY M. GRAHAM  
United States Attorney

By

S/Jack Morgan  
Assist. U.S. Attorney

S/HARRY STEPHENS

Assistant United States Attorney

Foreperson

JSM:ddb



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 23 1989

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENT PATRICK THEMISCH a/k/a  
PAUL RICHARD LASSLEY,

Defendant.

No. 89CR 83E ✓

ORDER GRANTING EXTENSION OF TIME

Now on this 20<sup>th</sup> day of October, 1989, this matter having come on before me, the undersigned Judge of the United States District Court for the Northern District of Oklahoma, upon Defendant Kent Patrick Themisch, a/k/a Paul Richard Lassley's Motion for Extension of Time to file proposed voir dire and proposed jury instructions, the Court finds that Defendant's Motion should be sustained.

IT IS THEREFORE ORDERED, ADJUGED AND DECREED by the Court that the Defendant's requested jury instructions and voir dire are to be filed by the 15<sup>th</sup> day of November, 1989.

*James C. Silver*  
UNITED STATES DISTRICT JUDGE  
FOR THE NORTHERN DISTRICT

CERTIFICATE OF SERVICE

I, Jo Stanley Glenn, do hereby certify that I hand delivered a true and correct copy of the above and foregoing Order Granting Extension of Time on this \_\_\_\_ day of October, 1989, to: Jack Morgan, Assistant U.S. Attorney.

NOTE: THIS ORDER IS TO BE MAILED  
BY MOVANT TO ALL COUNSEL AND  
PRO SE LITIGANTS IMMEDIATELY  
UPON RECEIPT

*Jo Stanley Glenn*  
Jo Stanley Glenn

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK  
DISTRICT OF KANSAS

RALPH L. DELOACH  
CLERK

204 U.S. COURTHOUSE  
401 NORTH MARKET  
WICHITA, KANSAS 67202  
(316) 269-6491  
FTS: 752-6491

FILED

OCT 19 1989

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

490 U.S. COURTHOUSE  
444 S.E. QUINCY  
TOPEKA, KANSAS 66683  
(913) 295-2610  
FTS: 752-2610

151 U.S. COURTHOUSE  
812 NORTH SEVENTH  
KANSAS CITY, KANSAS 66101  
(913) 236-3719  
FTS: 757-3719

October 17, 1989

Jack C. Silver, Clerk  
411 U.S. Courthouse  
333 W. 4th Street  
Tulsa, OK 74103

RE: United States of America vs. Barbara Ann Marteney  
Magistrate No. 89-1081M-03

Dear Clerk:

I enclose, pursuant to Rule 40, copies of the following papers:

Waiver of Removal Hearing  
Courtroom Minute Sheet dated 10-10-89  
Order Setting Conditions of Release  
Appearance Bond  
Financial affidavit

Please acknowledge receipt of the above papers on the enclosed copy of this letter.

Sincerely,

RALPH L. DELOACH, CLERK

By

*Carla Ray*  
Carla Ray, Deputy Clerk

Enclosures

cc: Ass't. U.S. Attorney  
U.S. Magistrate  
U.S. Probation

RECEIVED

OCT 17 1989

JACK C. SILVER, CLERK  
U. S. DISTRICT COURT

*Copy sent back to*

FILED

United States District Court

OCT 12 1989

DISTRICT OF KANSAS

CLERK  
Carla Ray

UNITED STATES OF AMERICA

v.

WAIVER OF RULE 40 HEARINGS  
(Excluding Probation Cases)

OCT 12 1989

BARBARA ANN MARTENEY

Case Number: 89-1081M-03

C. Silver, Clerk  
U.S. DISTRICT COURT

89-CR-83-04E

I, Barbara Ann Marteney, understand that in the

Northern District of Oklahoma, charges are pending

alleging violation of 21 USC 841; 846 and 853 and that I have been

arrested in this District and taken before a United States Magistrate, who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ( ☒ ) identity hearing
- ( ☐ ) preliminary examination
- ( ☐ ) identity hearing and have been informed I have no right to a preliminary examination
- ( ☐ ) identity hearing but request a preliminary examination be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

Defendant

October 11, 1989

Date

## CLERK'S COURTROOM MINUTE SHEET - CRIMINAL

PRETRIAL PROCEEDINGS

CASE NO. 89-1081M-03

**FILED**

OCT 1 1 1989

UNITED STATES OF AMERICA

## APPEARANCES

vs.

vs.  
Barbara Ann Marteney

( ) Retained

( ) Appointed

JUDGE: Woolley

KANSAS CITY

CLERK: ~~Laraw~~  
Marian

WICHITA

y

REPORTER:

ТОРЕКА

DATE: 10 - 10 - 89

# PROCEEDINGS

(X) RULE 5 ( ) DENTENTION HEARING ( ) BAIL HEARING  
( ) ARRAIGNMENT & PLEA ( ) WAIVER OF INDICTMENT ( ) FELONY  
( ) CHANGE PLEA ( ) APPEARANCE ( ) MISDEMEANOR  
(X) Def. sworn to financial status (X) Counsel appointed (*Public Defender*)  
(X) Constitutional Rights Explained  
( ) Declines to Waive Indictment ( ) Will be presented to next Grand Jury  
( ) Signed Waiver of Indictment ( ) Information filed on \_\_\_\_\_  
( ) Signed Consent to Transfer under Rule 20  
( ) Petition to Enter Plea filed ( ) Complaint ( ) Violation Notice  
( ) Waived Reading of: ( ) Indictment ( ) Number of Counts \_\_\_\_\_  
( ) Information ( ) Read to Defendant \_\_\_\_\_  
( ) Previous Plea: ( ) Guilty ( ) Not Guilty Counts: \_\_\_\_\_ Withdrawn  
( ) Guilty Counts: \_\_\_\_\_ Accepted  
( ) Not Guilty Counts: \_\_\_\_\_  
( ) Admitted ( ) Denied -- Being Juvenile Delinquent as charged  
( ) Forms Furnished  
( ) Judgment deferred ( ) P.S.I. Ordered ( ) Sentencing Set for: \_\_\_\_\_  
( ) Set for trial \_\_\_\_\_  
(X) Bail \$20,000 *OR* ( ) Continued on Present Bail ( ) Remanded to custody  
( ) Remain at \$ \_\_\_\_\_ (X) Release ordered ( ) Detention ordered  
( ) Counts: \_\_\_\_\_ ( ) To be Dismissed on Motion of U. S. Attorney at Time  
(X) Continued to 10-11-89 at 1:30 p.m. of Sentencing.

Motions to be filed by:

Responses or briefs filed by:

Reply Briefs:

Motions heard on:

Tentative Trial Date:

( ) Defendant waived Omnibus Hearing.

( ) Defendant refused to proceed in Magistrate's Court and remanded to District Court

OCT 1 1 1989

UNITED STATES OF AMERICA,

Plaintiff,

v.

BARBARA ANN MARTENEY

Defendant.

Case No. 89-1081M-03

The defendant under oath has sworn or affirmed as to his financial inability to employ counsel.

Offense: 21 USC 841 Drugs

Federal Public Defender

Appointed on 10-10-89 by:

X United States Magistrate John B. Wooley

United States District Judge \_\_\_\_\_

Case assigned to: Federal Public Defender

Defendant is released upon signing \$20,000.00 OR bond

213 E. 1st, Apt. B, Hutchinson, Kansas 67501 316/669-9403

The following proceedings are set for hearing on the dates indicated:

1. Omnibus Hearing & Arraignment \_\_\_\_\_, 19\_\_\_\_.
2. Preliminary Hearing \_\_\_\_\_, 19\_\_\_\_.
3. Removal Hearing 10-11 \_\_\_\_\_, 1989.

There ~~is~~ are 5 co-defendant(s) in this case.

Dated this 10th day of  
October, 1989.

U. S. ~~JUDICIAL~~ MAGISTRATE

or By Order of the Court

Clerk or Deputy Clerk

# FINANCIAL AFFIDAVIT

CJA-23

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES ☒ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

IN THE CASE OF

USA

vs.

*Barbar*

FOR

DISTRICT OF KANSAS

AT

WICHITA, KANSAS

LOCATION NUMBER

KSXWI

PERSON REPRESENTED (Show your full name)

*Barbara Ann Martney*

- 1 ☒ Defendant—Adult
- 2 ☐ Defendant—Juvenile
- 3 ☐ Appellant
- 4 ☐ Probation Violator
- 5 ☐ Parole Violator
- 6 ☐ Habeas Petitioner
- 7 ☐ 2255 Petitioner
- 8 ☐ Material Witness
- 9 ☐ Other (Specify) \_\_\_\_\_

DOCKET NUMBERS

Magistrate

District Court

Court of Appeals

CHARGE/OFFENSE (describe if applicable & check box →)

☒ Felony  
☐ Misdemeanor

## ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

### EMPLOYMENT

Are you now employed? ☐ Yes ☒ No ☐ Am Self Employed

Name and address of employer: *Ciana (Wichita)*

IF YES, how much do you earn per month? \$ *N/A*

IF NO, give month and year of last employment

How much did you earn per month \$ *320 (2 wks)*

If married is your Spouse employed? ☐ Yes ☒ No

IF YES, how much does your Spouse earn per month \$ \_\_\_\_\_

If a minor under age 21, what is your

Parents or Guardian's approximate monthly income \$ *N/A*

### ASSETS

#### OTHER INCOME

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☐ Yes ☒ No

IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES

RECEIVED

SOURCES

#### CASH

Have you any ~~cash~~ or money in savings or checking account? ☒ No

IF YES, state total amount \$ *51.00*

#### PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☒ Yes ☐ No

IF YES, GIVE VALUE AND DESCRIBE IT

VALUE

DESCRIPTION

\$ *500.00*

*Apple Car*

### OBLIGATIONS & DEBTS

#### DEPENDENTS

MARITAL STATUS

- ☐ SINGLE  
☐ MARRIED  
☐ WIDOWED  
☒ SEPARATED OR DIVORCED

Total No. of Dependents

*2*

List persons you actually support and your relationship to them

*Wanda Martney - Daughter (age 16)*  
*John Martney - Son (age 11)*

#### DEBTS & MONTHLY BILLS

(LIST ALL CREDITORS INCLUDING BANKS, LOAN COM. AGENCIES, ETC.)

APARTMENT OR HOME:

*213 E 12th, apt # B*  
*Hutchinson, Kansas*

Creditors

Total Debt

Monthly Payt.

BEFORE ME THIS

, 1989

SUBSCRIBED  
10 DAY

JOHN B. WOOLEY  
U.S. MAGISTRATE  
SIGNATURE OF DEFENDANT  
(OR PERSON REPRESENTED)

I certify the above to be correct.

*Barbara Ann Martney*

*10/10/89*

**WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH**

## United States District Court

NORTHERN

DISTRICT OF OKLAHOMA

U S A

V.

BARBARA ANN MARTENEY

NOTICE

CASE NUMBER: 89-CR-83-04-E

TYPE OF CASE:

☐ CIVIL☒ CRIMINAL

TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:

PLACE

U.S. Courthouse  
333 W. 4th St.  
Tulsa, OK 74103

ROOM NO.

4541

DATE AND TIME

OCTOBER 26, 1989, 9:00 A.M.

TYPE OF PROCEEDING

APPOINTMENT OF COUNSEL



TAKE NOTICE that the proceeding in this case has been continued as indicated below:

PLACE

DATE AND TIME PREVIOUSLY  
SCHEDULEDCONTINUED TO, DATE  
AND TIME

JACK C. SILVER, CLERK

U.S. MAGISTRATE OR CLERK OF COURT

10-19-89

DATE

B. McCullough, Deputy Clerk

(BY) DEPUTY CLERK

To: Defendant  
Jack Morgan  
Probation

16

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

OCT 17 1989 dd

JACK MORGAN, CLERK  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

No. 89CR 83E ✓

KENT PATRICK THEMISCH a/k/a  
PAUL RICHARD LASSLEY,  
Defendant.

MOTION FOR EXTENSION OF TIME

COMES NOW the Defendant, Kent Patrick Themisch, a/k/a Paul Richard Lassley, by and through his attorney, Jo Stanley Glenn, and requests the court grant an extension of time in which to file proposed voir dire questions and proposed jury instructions. In support of said motion, the Defendant would allege and state:

1. That due to the Court's schedule, trial will not commence on the scheduled date of October 23, 1989.
2. That attorney for the Defendant has been in trial and unable to complete material prior to this date.
3. That Jack Morgan, Assistant United States Attorney, has no objection to the extension of time.

WHEREFORE, for the reasons stated above, the Defendant would request the Court to extend the filing of voir dire and jury instructions until just prior to the commencement of trial



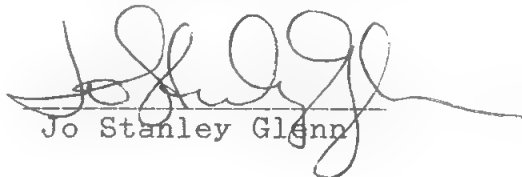
Respectfully submitted,



Jo Stanley Glenn, OBA#3411  
Attorney for Defendant  
Kent Patrick Themisch  
a/k/a Paul Richard Lassley  
1154 E. 61st  
Tulsa, OK 74136  
(918) 749-5531


CERTIFICATE OF SERVICE

I, Jo Stanley Glenn, do hereby certify that I hand delivered a true and correct copy of the above and foregoing Motion for Extension of Time on this 17 day of October, 1989, to: Jack Morgan, Assistant U.S. Attorney.



Jo Stanley Glenn

COMMITMENT TO ANOTHER DISTRICT  
(Rule 40, Federal Rules of Criminal Procedure)

<b>United States District Court</b>		DISTRICT <b>COLORADO</b>	
UNITED STATES OF AMERICA V.  KENT PATRICK THIMMESCH		DOCKET NO. <b>89-CR 83E</b>	
		MAGISTRATE CASE NO. <b>89-832M</b>	
CHARGES AGAINST THE DEFENDANT ARE FILED BASED UPON AN <input checked="" type="checkbox"/> Indictment <input type="checkbox"/> information <input type="checkbox"/> complaint <input type="checkbox"/> Other (specify)		<b>FILED</b> <b>OCT 12 1989</b> Jack C. Silver, Clerk U.S. DISTRICT COURT	
charging a violation of <b>21</b> U.S.C. § 846, 841(a)(1), 853			
DISTRICT OF OFFENSE <b>OKLAHOMA</b>		DATE OF OFFENSE	
DESCRIPTION OF CHARGES:  <b>Conspiracy to Manufacture; Possess with Intent to Distribute; and to Distribute Methamphetamine; Forfeiture</b>  <p>I, the undersigned, Clerk of the United States District Court for the District of Colorado, do hereby certify that the above charges were filed with the Clerk of said Court on the 4th day of October, 1989.</p> <p>JAMES E. PEAKER By: <i>Jimmy Prentiss Parks</i> Deputy</p>			
BOND IS FIXED AT <b>S Defendant is ordered detained until appearance in Oklahoma</b> Colorado			
DISTRICT  <b>TO: THE UNITED STATES MARSHAL</b>  You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.  <div style="display: flex; justify-content: space-between;"><div><u>August 1, 1989</u> Date</div><div> United States Judge or Magistrate <b>D.E. ABRAM</b></div></div>			
<b>RETURN</b>			
This commitment was received and executed as follows:			
DATE COMMITMENT ORDER RECEIVED		PLACE OF COMMITMENT	
DATE		DATE DEFENDANT COMMITTED	
UNITED STATES MARSHAL		(BY) DEPUTY MARSHAL	



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

INITIAL APPEARANCE

Judge/Magistrate D.E. ABRAM

Date AUGUST 1, 1989

Deputy Clerk W. S. Borch

~~CRIMINAL~~ Court Rep./Tape #/BER 143/A

Crim. No. 89-832M

USA v. Kent Paul Thimmesch aka Paul Lassley  
(present in custody)

Counsel for Govt. Andrew Vogt

Counsel for Deft. w/o counsel

~~SECURITY:~~

Pretrial/Prob. Off. \_\_\_\_\_

COMPLAINT/INFORMATION/INDICTMENT Northwestern District of Oklahoma

3:05 p.m. Court in Session.

[ ] Defendant ( ) has a copy of the charges ( ) will be furnished a copy of the charges when recd.

☒ Defendant advised of the charges and penalties.

☒ Defendant advised of ( ) right to remain silent, ( ) right to be represented by counsel.

☒ Defendant advised the Court he/she ( ) has counsel who is \_\_\_\_\_

~~OR ( ) will hire counsel. If the defendant cannot retain counsel the Court will be advised~~  
~~by DEFENDANT WAIVED appointment of counsel in this district only.~~

[ ] Financial affidavit executed. Defendant found ( ) ABLE ( ) UNABLE to hire counsel.

[ ] ORDERED: ( ) Federal Public Defender appointed;

( ) Counsel to be appointed from CJA panel.

[ ] ORDERED: Bond set ( ) Personal Recognizance; ( ) \$ \_\_\_\_\_ Unsecured;

( ) \$ \_\_\_\_\_ cash/corporate surety/ real property; -OR-

( ) \$ \_\_\_\_\_ 10% cash deposit.

[ ] ORDERED: Defendant to abide by conditions of bond as set forth on attached sheet.

☒ ~~ORDERED: On~~ Oral motion of Government for Detention, hearing is set at \_\_\_\_\_  
on \_\_\_\_\_ before Magistrate \_\_\_\_\_.

[ ] ORDERED: Preliminary/Removal/Identity hearing is set at \_\_\_\_\_  
on \_\_\_\_\_ before Magistrate \_\_\_\_\_.

[ ] ORDERED: Arraignment set at \_\_\_\_\_ on \_\_\_\_\_  
before Magistrate \_\_\_\_\_.

☒ ORDERED: based presumption of statute defendant is  
ordered detained without bond.

Defendant executed the Waiver of Rule 40 Hearings.

ORDERED: Defendant remanded to custody of U.S. Marshal  
for removal to Oklahoma.

3:13 p.m. Court in Recess.

Court Clerk 4th October  
By Stacy Pruitt Deputy

*25 called and filed in  
open court 8-1-89*

*Adm*  
**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

AUG 01 1989

# United States District Court

DISTRICT OF COLORADO

JAMES R. MANSPEAKER  
CLERK  
BY *[Signature]*  
DEP. CLERK

UNITED STATES OF AMERICA

V.

## WAIVER OF RULE 40 HEARINGS (Excluding Probation Cases)

KENT PATRICK THIMMESCH  
aka Paul Lassley

Case Number: 89-832M

I, Kent Patrick Thimmesch, understand that in the  
Northern District of Oklahoma, charges are pending  
alleging violation of 21 U.S.C. §§ 841(a)(1) and 853 and that I have been  
arrested in this District and taken before a United States Magistrate, who informed me of the charge and of my  
right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the  
proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing  
to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has  
been returned or an information filed) to determine whether there is probable cause to believe an offense has  
been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ( ) identity hearing
- ( ) preliminary examination
- ( ☒ ) identity hearing and have been informed I have no right to a preliminary examination
- ( ) identity hearing but request a preliminary examination be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the  
charge is pending against me.

I, the undersigned Clerk of the  
United States District Court for the  
District of Oklahoma, certify that  
the foregoing is a true and correct  
copy of the original file  
of said  
4th October  
*Andy Pruitt-Parks*  
Deputy

*Kent Patrick Thimmesch*  
Defendant

August 1, 1989

Date

Defense Counsel

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

UNITED STATES OF AMERICA

Magistrate's Docket No. 89

Case No. 832M

AFFIDAVIT FOR  
REMOVAL PROCEEDING

Kent Patrick Thimmesh  
aka Paul Lassley

BEFORE THE UNITED STATES MAGISTRATE

The undersigned affiant, on the basis of his investigation and information he has received concerning this case through official channels, does hereby certify:

On July 6, 1989, a Warrant for Arrest was issued in the Northern  
(date) (if applicable)

District of Oklahoma by Jack C. Silver, Clerk  
(full name and title)

on the ( ) Complaint ( ) Information (X) Indictment filed at Tulsa, Ok  
(city and state)

charging the above-named with violation of Title 21, Section 846, 841(a)(1), 853

U. S. Code, Conspirator to Manufacture, Possession with Intent  
to Distribute, Distribution of Methamphetamine, Forfeiture  
at which time bond in the amount of \$ none

was ( ) recommended or ( ) fixed.

The above-named defendant was arrested by me on 8-1-89  
(date)

at 11:45 A.M., at 6161 Pierce St., Westminster, CO

David S. Floyd  
Deputy U.S. Marshal  
(title of officer)

Subscribed and sworn to before me this 1st day of August,  
1989

[Signature]  
United States Magistrate

Court 4th October  
Lucky Pierre Park

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA  
V.

KENT PATRICK THIMMESCH  
a/k/a Paul Richard Laesley

8962 0707 0183D  
WARRANT FOR ARREST

CASE NUMBER:

89CR 83E

To: The United States Marshal  
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest Kent Patrick Thimmesch a/k/a Paul R. Laesley  
Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Conspiracy to Manufacture; Possess with Inent to Distribute; and to Distribute  
Methamphetamine; Forfeiture

In violation of Title 21 United States Code, Section(s) 846, 841(a)(1), 853

JACK C. SILVER  
Name of Issuing Officer

Title of Issuing Officer

Signature of Issuing Officer

Date and Location

JUL 06 1989

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_  
Name of Judicial Officer

## RETURN

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

6161 Pierce St. Westminster

DATE RECEIVED 7-11-89	NAME AND TITLE OF ARRESTING OFFICER David S. Floyd	SIGNATURE OF ARRESTING OFFICER David S. Floyd
DATE OF ARREST 8-1-89	Deputy U.S. Marshal	

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED  
IN OPEN COURT

JUL 5 1989

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,  
KENT PATRICK THIMMESCH a/k/a  
PAUL RICHARD LASSLEY,  
LOREN EUGENE HALL, JR.,  
BARBARA ANN MARTENEY,  
DAVID ROYSE LADD and  
MICHAEL STEVEN HALL,

Defendants.

No. \_\_\_\_\_

I N D I C T M E N T

[21 U.S.C. §§846, 841(a)(1);  
Conspiracy to Manufacture;  
Possess with Intent to  
Distribute; and to  
Distribute, Methamphetamine;  
21 U.S.C. §853: Forfeiture]

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

89CR 83E

I, the undersigned, Clerk of the United States District Court for the Northern District of Oklahoma, hereby certify that the foregoing is a true and correct copy of the original on file in this Court.

Jack C. Silver, Clerk

THE GRAND JURY CHARGES:

COUNT ONE

[21 U.S.C. §§846, 841(a)(1), 853]

A. INTRODUCTION

Beginning in or about September, 1987, and continuing through and including February 16, 1989, defendants LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL, and other co-conspirators, both known and unknown to the grand jury, did willfully and knowingly combine, conspire, confederate and agree to commit offenses against the United States in violation of Title 21, U.S.C., §846, as follows:

(1) To knowingly and intentionally manufacture methamphetamine, a Schedule II stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).



(2) To knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21, U.S.C. §841(a)(1).

(3) To knowingly and intentionally distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

B. MEANS OF THE CONSPIRACY

The objects and means of the conspiracy were to be accomplished and were accomplished by the defendants, and other co-conspirators, as follows:

(1) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, and others both known and unknown to the grand jury, would and did knowingly purchase precursor chemicals in the Northern District of Oklahoma, and elsewhere, with the intent to manufacture methamphetamine.

(2) LOREN EUGENE HALL, JR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, and others both known and unknown to the grand jury, would and did knowingly transport precursor chemicals and laboratory equipment to be used in establishing clandestine laboratories for the manufacture of methamphetamine.

(3) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, MICHAEL STEVEN HALL, and others both known and unknown to the grand jury would and did knowingly manufacture methamphetamine.

(4) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, and others both known and unknown to the grand jury would and did knowingly distribute methamphetamine.

C. OVERT ACTS

To effect the objects of the conspiracy, the defendants named herein, and other co-conspirators, committed diverse overt acts within the Northern District of Oklahoma, and elsewhere, among which were the following:

(1) In or about September or October, 1987, LORAN EUGENE HALL, SR., and DAVID ROYSE LADD traveled from Balt Springs, Texas to Kansas for the purpose of manufacturing methamphetamine.

(2) In or about September or October, 1987, LORAN EUGENE HALL, SR., returned from Kansas to Texas with methamphetamine.

(3) In or about September or October, 1987, BARBARA ANN MARTENEY, in Texas, sold methamphetamine, and delivered money therefrom to LORAN EUGENE HALL, SR.

(4) In or about May or June, 1988, LORAN EUGENE HALL, SR., rented a farm near Scurry, Texas, for the purpose of manufacturing methamphetamine.

(5) In or about October or November, 1988, MICHAEL STEVEN HALL spilled meth oil on the floor of a shed in or near Mesquite, Texas, while loading articles in a truck.

(6) In or about October or November, 1988, LORAN EUGENE HALL, SR., and MICHAEL STEVEN HALL departed Mesquite, Texas, to manufacture methamphetamine.

(7) On or about October 28, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., inquired as to purchasing chemicals and glassware in Wichita, Kansas.

(8) On or about October 31, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., purchased chemicals and glassware in Tulsa, Oklahoma.

(9) On or about November 15, 1988, LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., and an unindicted co-conspirator purchased chemicals in Tulsa, Oklahoma.

(10) On or about November 28, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., Tulsa, Oklahoma, to advise that he would be coming or calling to place an order for 110 pounds of Ephedrine.

(11) On or about November 30, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., to inquire how much Ephedrine was in stock.

(12) In or about October or November, 1988, LORAN EUGENE HALL, SR., and BARBARA ANN MARTENEY diluted mehtamphetamine with Ephedrine, in or near Mesquite, Texas.

(13) In or about November or December, 1988, BARBARA ANN MARTENEY and LORAN HALL, SR., in Texas, sold methamphetamine for profit.

(14) On or about December 30, 1988, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.

(15) On or about January 10, 1989, an unindicted co-conspirator purchased chemicals and equipment from a chemical store in Tulsa, Oklahoma, for LORAN EUGENE HALL, SR.

(16) In or about January, 1989, MICHAEL STEVEN HALL transported laboratory glassware from or near Mesquite, Texas to or near Burns, Kansas.

(17) On or about February 2, 1989, LORAN EUGENE HALL, SR., at or near Mesquite, Texas, agreed to convert one gallon of meth oil to methamphetamine.

(18) On or about February 6, 1989, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.

(19) On or about February 15, 1989, in or near Mesquite, Texas, LOREN EUGENE HALL, JR., dictated to BARBARA ANN MARTENEY who wrote down a list of needed laboratory glassware and chemicals.

(20) On or about February 15, 1989, LOREN EUGENE HALL, JR., distributed methamphetamine in or near Mesquite, Texas.

(21) On or about February 15, 1989, LOREN EUGENE HALL, JR., possessed a firearm while distributing methamphetamine and discussing his clandestine laboratory.

(22) On or about February 15, 1989, DAVID ROYSE LADD and LOREN EUGENE HALL, JR., purchased five (5) gallons of Hydiodic Acid, 500 grams of Red Phosphorous and ten (10) pounds of Ephedrine at DFW Chemicals in Grand Prairie, Texas.

(23) On or about February 16, 1989, LOREN EUGENE HALL, JR., and an unidentified co-conspirator purchased laboratory equipment and glassware at DFW Chemicals in Grand Prairie.

(24) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICARDO LASSLEY loaded chemicals, laboratory equipment and glassware onto a truck in Mesquite, Texas.

(25) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY transported firearms, chemicals, laboratory equipment and glassware from Texas through Oklahoma on their way to Kansas.

D. PROPERTY SUBJECT TO FORFEITURE

Forfeiture may and shall be ordered to the United States by the Court of the above defendant's following described property upon their individual and respective convictions herein, pursuant to Title 21, United States Code, §853:

(1) Any property constituting or derived from any proceeds any defendant obtained directly or indirectly, as the result of the violation herein.

(2) Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation herein.

A TRUE BILL

TONY M. GRAHAM  
United States Attorney

By

S/Jack Morgan  
Assist. U.S. Attorney

Assistant United States Attorney

S/HARRY STEPHENS

Foreperson

JSM:ddb

UNITED STATES DISTRICT COURT  
OFFICE OF THE CLERK  
DISTRICT OF COLORADO

James R. Manspeaker, Clerk

October 4, 1989

Room C-145  
UNITED STATES COURT  
1929 Stout Street  
Denver, Colorado 80294-3589  
Phone (303)844-2115

Jack C. Silver, Clerk  
411 U.S. Courthouse  
333 W. 4th Street  
Tulsa, Oklahoma 74103

RE: U.S.A. vs. Kent Patrick Thimmesch  
Your No. 89-832M  
OUR NO. 89-CR 83E

Dear Clerk:

We are enclosing the following documents which are being forwarded pursuant to Rule 40(c) of the Federal Rules of Criminal Procedure:

- (x) Copy - Docket Sheet
- (x) Warrant of Arrest and Return
- ( ) Appearance Bond in the amount of \$ \_\_\_\_\_
- ( ) Check for \$ \_\_\_\_\_
- ( ) Order Setting Conditions of Release
- (x) Commitment to Another District
- (x) Waiver of Removal/Identity Hearing
- ( ) Passport of \_\_\_\_\_
- ( ) Financial Affidavit
- (x) Court Minutes
- ( ) Other \_\_\_\_\_

Please acknowledge receipt of the enclosed documents on the enclosed copy of this letter.

Very Truly Yours,

JAMES R. MANSPEAKER, Clerk

By: Kathy Pruitt-Parks  
Deputy Clerk

cc: U.S. Attorney, Denver, Colorado  
Pretrial Services Agency, Denver, Colorado  
U.S. Attorney, Oklahoma

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

0-48a  
Plaintiff(s),

Case No. 89-CR-83<sup>03</sup>-E

vs.

Date

Kent Patrick Shimmesch

PROCEEDING PT

Defendant(s).

JUDGE COOK	Deputy R. Miller	Reporter Simpson
JUDGE ELLISON	Deputy McCullough	Reporter DorrOUGH
JUDGE BRETT	Deputy Overton	Reporter Caslavka
JUDGE	Deputy	Reporter

COUNSEL FOR: Plaintiff J. Morgan

Defendant J. S. Blinn

MINUTES:

Parties ~~are~~ working on possible resolution of matter

IT will stay on trailing dkt, however will  
not commence on 10/23/89. To stay in contact  
w/ CLR & also to advise if they resolve matter

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

SEP 12 1989

ck

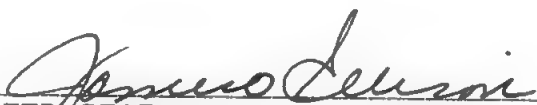
UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. ) No. 89CR 83E ✓  
 )  
KENT PATRICK THEMISCH a/k/a )  
PAUL RICHARD LASSLEY, )  
 )  
Defendant. )

ORDER GRANTING CONTINUANCE

Now on this 11<sup>th</sup> day of September, 1989, this matter having come on before me, the undersigned Judge of the United States District Court for the Northern District of Oklahoma, upon Defendant Kent Patrick Themisch, a/k/a Paul Richard Lassley's Motion for Continuance on jury trial date, the Court finds that Defendant's Motion should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the jury trial set for September 18, 1989, on Defendant Kent Patrick Themisch, a/k/a Paul Richard Lasley, should be and hereby is continued until the 23<sup>rd</sup> day of Oct., 1989, at 9:30 o'clock, A.M..

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant's requested jury instructions and voir dire are to be filed by the 17 day of Oct., 1989, and continued PT set 10/17/89, 9:30 A.M.

  
UNITED STATES DISTRICT JUDGE  
FOR THE NORTHERN DISTRICT



CERTIFICATE OF SERVICE

I, Jo Stanley Glenn, do hereby certify that I hand delivered a true and correct copy of the above and foregoing Order Granting Continuance on this \_\_\_\_ day of September, 1989, to: Jack Morgan, Assistant U.S. Attorney.

\_\_\_\_\_  
Jo Stanley Glenn

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED  
SEP 11 1989  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
KENT PATRICK THEMISCH a/k/a  
PAUL RICHARD LASSLEY,  
Defendant.

No. 89CR 83E

MOTION FOR CONTINUANCE

COMES NOW the Defendant, Kent Patrick Themisch, a/k/a Paul Richard Lassley, by and through his attorney, Jo Stanley Glenn, and requests the court grant a continuance on the jury trial date of September 18, 1989. In support of said motion, the Defendant would allege and state:

1. The Defendant originally appeared for arraignment less than thirty (30) days prior to September 18, 1989.
2. In accordance with Title 18 U.S.C. Section 3161C(2), the trial of a defendant shall not commence less than thirty (30) days from the date of arraignment.
3. The Defendant has yet to complete discovery in order to adequately prepare for trial.

WHEREFORE, for the reasons stated above, the Defendant would request the Court to continue the jury trial until the October jury docket.

WHEREFORE, the Defendant would further request that the dates now set for requested jury instructions and requested voir

dire be continued in accordance with the continuation of the jury trial setting.

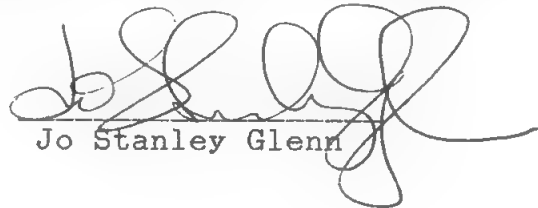
Respectfully submitted,



Jo Stanley Glenn, OBA#3411  
Attorney for Defendant  
Kent Patrick Themisch  
a/k/a Paul Richard Lassley  
1154 E. 61st  
Tulsa, OK 74136  
(918) 749-5531

**CERTIFICATE OF SERVICE**

I, Jo Stanley Glenn, do hereby certify that I hand delivered a true and correct copy of the above and foregoing Motion for Continuance on this 5th day of September, 1989, to: Jack Morgan, Assistant U.S. Attorney.



Jo Stanley Glenn

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

U.S.A.

V.

**NOTICE**LOREN EUGENE HALL, JR.  
MICHAEL STEVEN HALL

CASE NUMBER: 89-CR-83-03 &amp; 06-E

TYPE OF CASE:

☐ CIVIL☒ CRIMINAL

TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:

PLACE

U. S. COURTHOUSE  
TULSA OK

ROOM NO.

COURTROOM #2

DATE AND TIME

NOVEMBER 21 , 1989, 9:00 A.M.

TYPE OF PROCEEDING

SENTENCE



TAKE NOTICE that the proceeding in this case has been continued as indicated below:

PLACE

DATE AND TIME PREVIOUSLY  
SCHEDULEDCONTINUED TO, DATE  
AND TIME

JACK C. SILVER, CLERK

U.S. MAGISTRATE OR CLERK OF COURT

9-12-89

DATE

Beverly McCullough

(BY) DEPUTY CLERK

To: Defendants  
Jim Heslet  
David Booth  
John Morgan

✓

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

USA

Plaintiff(s),

Case No. 89-CR-83-02 E

vs.

Date 9/11/89

Kent Patrick Shimmesch

PROCEEDING PT, met & or C/P

Defendant(s).

JUDGE COOK

Deputy R. Miller

Reporter Simpson

JUDGE ELLISON

Deputy McCullough

Reporter Dorrough

JUDGE BRETT

Deputy Overton

Reporter Caslavka

JUDGE

Deputy

Reporter

COUNSEL FOR: Plaintiff

J. Morgan ✓

Defendant

J. Glean ✓

MINUTES:

met/cont. JT filed this date - JT passed to  
10/23/89 (2nd wk of dkt)

Cont'd PT set 10-17-89 9:30 A.M. Reg instrs, voir due  
if to hfs due same date

[Signature]

**MINUTE SHEET - CRIMINAL**

CR. CASE NO. 89-CR-83-06-E

DATE 9/11/89 USA VS. Michael Steven Hall (AGE) 37

ARRAIGNMENT &/OR CHANGE OF PLEA

JUDGE COOK _____	Deputy R. Miller _____	Reporter Simpson _____
JUDGE ELLISON _____	Deputy McCullough _____	Reporter Dorrough _____
JUDGE BRETT _____	Deputy Overton _____	Reporter Caslavka _____
MAG. WAGNER _____	Deputy J. Miller _____	Reporter _____
_____	_____	Recorded _____
MAG. WOLFE _____	Deputy Mayes _____	Reporter _____
_____	_____	Recorded _____

Counsel for Government J. Morgan  
Counsel for Defendant D. Booth

Retained; Court Appointed; FPD

~~Defendant~~ appears in person with counsel; without counsel; counsel waived  
~~Defendant~~ acknowledges receipt of Indictment; Information  
~~waives~~ Indictment; jury trial; 30 days preparation; separate representation  
~~Waivers~~ approved by Court

Defendant advised of charge and arraigned

Indictment, Superseding Indictment; Information; Superseding Information;  
Filed; read; reading waived

Enter plea of Guilty as to Counts 1

~~Defendant~~ withdraws plea(s) of Not Guilty to Counts \_\_\_\_\_

Counts \_\_\_\_\_ to be dismissed at sentence

✓ Petition to enter plea of guilty sworn to and executed; ✓ Defendant relates  
\* facts of charge; petition (and ~~Plea~~ Plea Agreement) approved and filed

Defendant adjudged guilty as charged in Counts 1

Findings re: Plea Agreement; Made/Reserved

Objections to PSI to be filed by

Rule 32 hearing set

SENTENCE SET Nov. 21, 1989 9:00 A.M. ☒ PSI ordered

Defendant allowed to stand on present bond; Defendant remanded to USM

                     Defendant(s) to file any and all pre-trial motions

\_\_\_\_\_ Government to respond

                     Certification of Discovery Disputes

                     Pre-trial conference & hearing on motions at                     

                     Parties to file any suggested voir dire, inst. & trial briefs

                     Jury trial; Non-Jury trial at

FILED  
IN OPEN COURT

IN THE UNITED STATES DISTRICT COURT FOR THE SEP 11 1989  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

*Michael Steven Hall*

Defendant.

Criminal Case

No. 89-CR-83-06-E

WAIVER OF JURY

I, the undersigned defendant, having been fully apprised of my rights, do hereby waive a jury and agree to try the above-entitled case to the Court as provided by Rule 23(a), Rules of Criminal Procedure.

CONSENT OF GOVERNMENT:

*[Signature]*  
United States Attorney

*Michael S Hall*  
Defendant

*David B. [Signature]*  
Attorney for Defendant

Signed and approved in open Court this 11<sup>th</sup> day of Sept, 1989.

*[Signature]*  
UNITED STATES DISTRICT JUDGE

SEP 11 1989 *b*

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,	)	No. <u>89-CR-083-06-C</u>
	)	
Plaintiff,	)	PETITION TO ENTER PLEA OF GUILTY
	)	AND
vs.	)	ORDER ENTERING PLEA
	)	
<u>MICHAEL STEVEN HALL,</u>	)	(Federal Rules of
	)	Criminal Procedure,
Defendant.	)	Rules 10 and 11)

The defendant represents to the Court:

(1) My full true name is: Michael Steven Hall.  
I am 37 years of age. I have gone to school up to and  
including 11th grade. I request that all proceedings  
against me be in my true name.

(2) I am represented by a lawyer; his/her name is:  
David Booth.

(3) I received a copy of the Indictment\* before being called  
upon to plead. I read the Indictment and have discussed it with  
my lawyer. I fully understand every charge made against me.

(4) I told my lawyer all the facts and circumstances known to  
me about the charges made against me in the Indictment. I  
believe that my lawyer is fully informed on all such matters.

(5) I know that the Court must be satisfied that there is a  
factual basis for a plea of "GUILTY" before my plea can be  
accepted. I represent to the Court that I did the following acts  
in connection with the charge(s) made against me in Count(s)  
See attached 1-A

(In the above space defendant must set out in detail what (s)he  
did. If more space is needed, add a separate page.)

\*"Indictment" also includes "Information."

**NOTE:** If the space provided is not sufficient for a complete  
response, you should add an attachment and indicate an answer is  
made in attachment.



Attached 1-A

The indictment describes a conspiracy to manufacture and distribute methamphetamine. My father, Oran Eugene Hall, Sr., is the first named defendant in the indictment. I had been living away from home for a number of years and recently returned home for personal reasons. When I returned home I renewed my relationship with my father and learned of his involvement in the conspiracy. Thereafter, I assisted my father in this conspiracy by assisting in the transportation of some laboratory equipment.

(6) My lawyer has counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that I might have in this case.

(7) I know that I have the right to plead "NOT GUILTY" to any offense charged against me. If I plead "NOT GUILTY", I know the Constitution guarantees me (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against me, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand; and if I do not take the witness stand, no inference of guilt may be drawn from such failure.

(8) In regard to my right to a jury trial, I know that I am the only person that can waive, that is, give up, that right. I also fully understand that if I have trial by a jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am "GUILTY".

(9) I know that if I plead "GUILTY" I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.

(10) I know that if I plead "GUILTY" the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.

(11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment, which, as provided by law is 20 years imprisonment and/or a fine of \$ 1,000,000. My lawyer has further advised me that if the offense(s) to which I plead "GUILTY" occurred on or after January 1, 1985, the maximum fine is the largest of:

- (a) The amount specified in law defining the offense
- (b) Double the gross pecuniary gain derived by a defendant from the offense
- (c) Double the pecuniary loss caused by the offense to another person

	<u>Individual Def.</u>	<u>Other Def.</u>
(d) Any Felony; Misdemeanor resulting in Death	\$ 250,000	\$500,000
Other Misdemeanor punishable by more than six months	100,000	100,000

My lawyer has also advised me that a Special Monetary Assessment in the amount of \$ 50.00 will be assessed per count if the offense(s) occurred on or after November 12, 1984.

Further, my lawyer has advised me that if the offense(s) to which I plead "GUILTY" occurred after December 31, 1982, and the offense(s) charge violation(s) of any statute found under Title 18 of the United States Code or certain subsections of the Federal Aviation Act (Title 49 U.S.C. 1472), that Title 18 U.S.C. et seq. authorizes a court to sentence a defendant to pay restitution in addition to or in lieu of any other penalty permitted by law, to any victim of the offense(s).

Also, if convicted of certain drug offense(s) under Title 21, an additional term of at least three years Special Parole/Supervised Release must be imposed.

I have been advised by counsel that I will be sentenced pursuant to the sentencing guidelines procedure established by Title 18 U.S.C. 3553 et seq. I understand that sentencing is a matter left exclusively in the province of the Court; and I understand that the sentence imposed by the Court may be within the guideline table range provided by law, or for good cause stated the Court may depart therefrom after a review of all relevant facts and circumstances of my case have been considered by the Court.

I further understand the Court may impose a term of Supervised Release that will run after any term of confinement that might be imposed.

Further, I understand that probation is not available as a sentencing alternative to the Court in most cases under the sentencing guidelines, and that whenever probation is permissible under the sentencing guidelines it is exclusively within the Court's province to grant or deny probation.

(12) If I am on probation or parole in this or any other Court, I know that by pleading "GUILTY" here, my probation or parole may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this case.

(13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of lenience if I plead "GUILTY", except as follows:

(Here insert any promises or concessions made to the defendant or to his attorney. If the plea of "GUILTY" is the result of a plea agreement, refer to paragraph (14) of this petition.)

---

If anyone else, including my attorney, made such a promise, suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.

I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of "GUILTY".

(14) My plea of "GUILTY" is the result of a plea agreement entered into between the government attorney, my attorney, and me.

Since my plea of "GUILTY" is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:  
See attached 4-A

---

I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of "GUILTY".

(15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.

(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:\*\*

Guilty to the one count indictment.

---

\*\* "The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s) \_\_\_\_\_", "NOT GUILTY as charged in Count(s) \_\_\_\_\_".

Attached 4-A

I will plead guilty to the one count indictment and assist the government in the prosecution of this case. If my assistance is "substantial" as defined by the Sentencing Guidelines, the government will move for a downward departure in my sentence. See the attached copy of the August 21, 1989, "plea letter" which sets out the plea agreement in detail.

(16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s) \_\_\_\_\_", "NOT GUILTY as charged in Count(s) \_\_\_\_\_".

(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are:

None

(If none, so state.)

(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.)

No exceptions.

(19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of "GUILTY" is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.

(20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.

(21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.

Signed and Sworn to by me in open Court, in the presence of my attorney, this 11th day of September, 1989.

Michael Hall  
Defendant

Subscribed and Sworn to before me this 11th day of September, 1989.

B. M. O'Connell  
Deputy Clerk

CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant Michael Stephen Hall, hereby certifies:

(1) I have read and fully explained to the defendant the allegations contained in the Indictment in this case.

(2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

I have further explained to my client the provisions of guideline sentencing as established by Title 18 U.S.C. 3553 et seq., and that sentencing is left solely within the province of the Court.

My client fully understands that for good cause shown, the Court may depart from the guideline table range and further that probation is not available as a sentencing alternative in most cases under guideline sentencing. Also, my client fully understands that whenever probation is a permissible sentencing alternative, it is exclusively within the Court's discretion to grant or deny probation.

(3) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts (s)he related to me and is consistent with my advice to the defendant.

(4) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.

(5) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".

(6) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

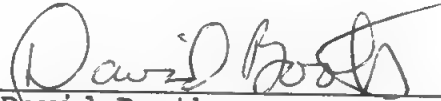
None

---

---

(7) I further represent to the Court that the defendant's plea of "GUILTY" is the result of a plea agreement. The terms of the agreement are set out in paragraph (14) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him the opportunity to withdraw his plea of "GUILTY".

Signed by me in open Court in the presence of the defendant above named and after full discussion of the contents of this certificate with the defendant, this 11th day of September, 1989.



David Booth  
Attorney for the Defendant

O R D E R

I find that the plea of "GUILTY" was made by the defendant freely, voluntarily, and because he is "GUILTY" as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime(s) charged and that there is a factual basis for the plea(s) of "GUILTY" and the defendant is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea(s) of "GUILTY" be accepted and entered as prayed for in the petition and as recommended in the certificate of his/her lawyer.

Done in open Court this 11th day of September, 1989.



UNITED STATES DISTRICT JUDGE



MINUTE SHEET - CRIMINAL

CR. CASE NO. 89-CR-83-03 E

DATE 9/11/89 USA vs. Levin Eugene Hall, Jr (AGE) 34

ARRAIGNMENT &/OR CHANGE OF PLEA

JUDGE COOK _____	Deputy R. Miller _____	Reporter Simpson _____
JUDGE ELLISON <u>/</u>	Deputy McCullough <u>/</u>	Reporter Dorrough <u>/</u>
JUDGE BRETT _____	Deputy Overton _____	Reporter Caslavka _____
MAG. WAGNER _____	Deputy J. Miller _____	Reporter _____
_____	_____	Recorded _____
MAG. WOLFE _____	Deputy Mayes _____	Reporter _____
_____	_____	Recorded _____

Counsel for Government J. Morgan  
Counsel for Defendant J. Hulet  
Retained; Court Appointed; FPD

☒ Defendant appears in person with counsel; without counsel; counsel waived  
Defendant acknowledges receipt of Indictment; Information  
☒ Waives Indictment; jury trial; 30 days preparation; separate representation  
☒ Waivers approved by Court

Defendant advised of charge and arraigned

☒ Indictment, Superseding Indictment; Information; Superseding Information;  
Filed; read; reading waived

☒ Enter plea of Guilty as to Counts /

☒ Defendant withdraws plea(s) of Not Guilty to Counts /

Counts \_\_\_\_\_ to be dismissed at sentence

☒ Petition to enter plea of guilty sworn to and executed; Defendant relates facts of charge; petition (and ~~Plea~~ Plea Agreement) approved and filed  
Plea Agreement placed under seal

☒ Defendant adjudged guilty as charged in Counts /

Findings re: Plea Agreement; Made/Reserved

Objections to PSI to be filed by \_\_\_\_\_

Rule 32 hearing set \_\_\_\_\_

SENTENCE SET Nov. 21, 1989, 9:00 A.M. ☒ PSI ordered

☒ Defendant allowed to stand on present bond; Defendant remanded to USM

\_\_\_\_\_ Defendant(s) to file any and all pre-trial motions

\_\_\_\_\_ Government to respond

\_\_\_\_\_ Certification of Discovery Disputes

\_\_\_\_\_ Pre-trial conference & hearing on motions at \_\_\_\_\_

\_\_\_\_\_ Parties to file any suggested voir dire, inst. & trial briefs

\_\_\_\_\_ Jury trial; Non-Jury trial at \_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**  
**IN OPEN COURT**

SEP 11 1989

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

*Loren Eugene Hall, Jr.*

Defendant.

Criminal Case

No. 89-CR-83-03-E

WAIVER OF JURY

I, the undersigned defendant, having been fully apprised of my rights, do hereby waive a jury and agree to try the above-entitled case to the Court as provided by Rule 23(a), Rules of Criminal Procedure.

CONSENT OF GOVERNMENT:

*[Signature]*  
United States Attorney

*Loren Hall Jr*  
Defendant

*[Signature]*  
Attorney for Defendant

Signed and approved in open Court this 11<sup>th</sup> day of

Sept, 1989.

*[Signature]*  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

Loren Eugene Hall, Jr.  
Defendant.

No. 89-CR-83-E

PETITION TO ENTER PLEA OF  
GUILTY and ORDER ENTERING PLEA

(Federal Rules of Criminal  
Procedure, Rules 10 and 11)

FILE  
IN OPEN CO

SEP 11 1989

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

The defendant represents to the Court:

(1) My full true name is: Loren Eugene Hall, Jr.. I am 34  
years of age. I have gone to school up to and including 1 1/2 Yrs. College-Hutchinson.  
I request that all proceedings against me be in my true name. Jr. College

(2) I am represented by a lawyer; his name is: Jim H. Heslet.

(3) I received a copy of the Indictment\* before being called upon to plead. I read  
the Indictment and have discussed it with my lawyer. I fully understand every charge made  
against me.

(4) I told my lawyer all the facts and circumstances known to me about the charges  
made against me in the Indictment. I believe that my lawyer is fully informed on all such  
matters.

(5) I know that the Court must be satisfied that there is a factual basis for a plea  
of "GUILTY" before my plea can be accepted. I represent to the Court that I did the  
following acts in connection with the charges made against me in Counts I.

In the Northern District of Oklahoma I transported precursor chemicals  
and laboratory equipment to manufacture methamphetamine. I purchased  
precursor chemicals in Tulsa, Oklahoma to be used in the manufacture  
of methamphetamine.

(In the above space defendant must set out in detail what he did. If more space is  
needed, add a separate page.)

(6) My lawyer has counseled and advised me on the nature of each charge, on all  
lesser included charges, and on all possible defenses that I might have in this case.

(7) I know that I have the right to plead "NOT GUILTY" to any offense charged  
against me. If I plead "NOT GUILTY" I know the Constitution guarantees me (a) the right  
to a speedy and public trial by a jury; (b) at that trial, and at all stages of the  
proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all  
witnesses called to testify against me, and the right to cross-examine those witnesses;  
(d) the right to use the power and process of the Court to compel the production of any  
evidence, including the attendance of any witnesses in my favor; and (e) the right not to  
be compelled to incriminate myself by taking the witness stand; and if I do not take the  
witness stand, no inference of guilt may be drawn from such failure.

(8) In regard to my right to a jury trial, I know that I am the only person that can  
waive, that is, give up, that right. I also fully understand that if I have trial by a

\*"Indictment" also includes "Information".

NOTE: IF THE SPACE PROVIDED IS NOT SUFFICIENT FOR A COMPLETE RESPONSE, YOU SHOULD ADD AN  
ATTACHMENT AND INDICATE ANSWER IS MADE IN ATTACHMENT.

jury, I have the right of the assistance of counsel, that is, an attorney; also the right to confront and cross-examine witnesses against me; and the right not to be compelled to incriminate myself. Furthermore, I understand that to convict me, all twelve (12) jury members would have to agree that I am guilty.

(9) I know that if I plead "GUILTY", I am thereby waiving my right to a trial, and that there will be no further trial of any kind, either before a court or jury; and further, I realize the Court may impose the same punishment as if I had pleaded "NOT GUILTY", stood trial, and been convicted by a jury.

(10) I know that if I plead "GUILTY", the Court will ask me questions about the offense(s) to which I have pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against me in a prosecution for perjury or false statement.

(11) My lawyer informed me that the plea of "GUILTY" could subject me to a maximum punishment which, as provided by law is 20 years imprisonment or a fine of \$ 1,000,000.00 (or both) for the offense(s) charged in Count(s) I of the Indictment.

If at this time I am at least 18 and not more than 26 years of age, I know that the Court may sentence me under the provisions of the Youth Corrections Act or as a Young Adult Offender for an indeterminate sentence (18 U.S.C. sec. 5010(b), which may require me to spend as long as six (6) years in a penal institution, even though the maximum term of confinement set by statute (see (11) above) may be less than six (6) years.

(12) If I am on probation or parole in this or any other court, I know that by pleading guilty here, my probation or parole may be revoked and I may be required to serve time in that case, which will be consecutive, that is, in addition to any sentence imposed on me in this case.

(13) I declare that no officer or agent of any branch of government (Federal, State, or local) has promised, suggested or predicted that I will receive a lighter sentence, or probation, or any other form of leniency if I plead "GUILTY", except as follows: (Here insert any promises or concessions made to the defendant or to his attorney. If the plea of "GUILTY" is the result of a plea agreement, refer to paragraph (14) on this page.

If anyone else, including my attorney, made such a promise, suggestion, or predication, except as noted in the previous sentence, I know that he had no authority to do so.

I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive lenience, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose. However, I respectfully request the Court to consider, in mitigation of punishment, that I have voluntarily entered a plea of guilty.

(14) My plea of guilty ~~(is)~~ (is not) the result of a plea agreement entered into between the government attorney, my attorney, and me.

Since my plea of guilty is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:

I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will give me the opportunity to withdraw my plea of guilty.

(15) I believe that my lawyer has done all that anyone could do to counsel and assist me, AND I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.

(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he is innocent and, with that in mind, and because I am "GUILTY" and do not believe I am innocent, I wish to plead "GUILTY" and respectfully request the Court to accept my plea of "GUILTY" and to have the Clerk enter my plea of "GUILTY" as follows:\*\*

Guilty as to Count I

(17) My mind is clear. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, medicine or pills that I took within the past seven (7) days are: Soma Compound, muscle relaxation for lower back.  
(If none, so state.)

(18) I have never been confined in any institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain here.) None

(19) I offer my plea of "GUILTY" freely and voluntarily, and further state that my plea of guilty is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer my plea of "GUILTY" with full understanding of all the matters set forth in the Indictment and in this petition, and in the certificate of my attorney which is attached to this petition.

(20) I waive the reading of the Indictment in open Court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.

(21) I swear that I have read, understood, and discussed with my attorney, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.

Signed and Sworn to by me in open Court, in the presence of my attorney, this 11th day of September, 1989.

Loren E. Hall, Jr.  
Defendant

Subscribed and Sworn to before me this 11th day of September, 1989.

B. McCullough  
Deputy Clerk

CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant Loren Eugene Hall, Jr., hereby certifies:

(1) I have read and fully explained to the defendant the allegations contained in

\*\* The defendant's plea of "GUILTY" or "NOT GUILTY" to each offense should be entered in the blank space provided in paragraph (16). If the Indictment charges a single offense, a defendant who wishes to plead "GUILTY" should write in paragraph (16) "GUILTY as charged in the Indictment". If more than one offense is charged, the defendant may write in paragraph (16) "GUILTY as charged in Count(s) \_\_\_\_\_", "NOT GUILTY as charged in Count(s) \_\_\_\_\_".

the Indictment in this case.

(2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

(3) I explained the maximum penalty for each count to the defendant, and since the defendant is 34 years of age, I have informed him that he may be sentenced under the provisions of the Youth Corrections Act or as a Young Adult Offender, and that if he is given an indeterminate sentence under the provisions of 18 U.S.C. sec. 5010(b) he may be required to spend as much as six (6) years in a penal institution, even though the maximum term of imprisonment set by statute may be less than six (6) years.

(4) The plea of "GUILTY" offered by the defendant in paragraph (16) accords with my understanding of the facts he related to me and is consistent with my advice to the defendant.

(5) In my opinion, the defendant's waiver of reading of the Indictment in open Court as provided in Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted by the Court.

(6) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (16) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY".

(7) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below: None

(8) I further represent to the Court that the defendant's plea of "GUILTY" (is) (is not) the result of a plea agreement. The terms of the agreement are set out in paragraph (13) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement, and that if the Court rejects the agreement, the Court will give him the opportunity to withdraw his plea of "GUILTY".

Signed by me in open Court in the presence of the defendant above named and after full discussion of the contents of this certificate with the defendant, this 11th day of September, 1989.

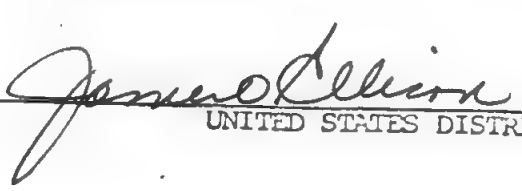
  
Attorney for the Defendant

ORDER

I find that the plea of guilty was made by the defendant freely, voluntarily, and because he is guilty as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime charged and is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea of "GUILTY" be accepted and entered as prayed for in the Petition and as recommended in the certificate of his lawyer.

Done in open Court this 11th day of September, 1989.

  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

USA

Plaintiff(s),

Case No. 89-CR-83-03-E

vs.

Date 8-28-89

Roran Eugene Hall, Jr.

PROCEEDING Mt/Bond  
Reduction

Defendant(s).

JUDGE COOK	Deputy R. Miller	Reporter Simpson
JUDGE ELLISON	Deputy McCullough	Reporter Dorrough
JUDGE BRETT	Deputy Overton	Reporter Caslavka
JUDGE <u>Wagner</u>	Deputy <u>Miller</u>	Reporter

COUNSEL FOR: Plaintiff Jack Morgan  
Defendant Jim Heslet

MINUTES:

I appears w/counsel for arg on Mt/reduction  
of bond - granted.

It reduces bond to: \$20,000 unsecured  
\$5,000 Cash/surety  
Remanded to custody; pending satis. of bond.

4:30 pm) Bondsman appears & executes bond & released.

LIST WITNESSES ON BACK:

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

U.S.A.

V.

**NOTICE**

KENT PATRICK THIMMESCH, a/k/a  
PAUL LASSLEY

CASE NUMBER: 89-CR-83-02-E

TYPE OF CASE:

☐ CIVIL☒ CRIMINAL

TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:

PLACE

U S COURTHOUSE  
TULSA OKLAHOMA

ROOM NO.

COURTROOM #2

DATE AND TIME

SEPTEMBER 18, 1989, 9:30 A.M.

TYPE OF PROCEEDING

JURY TRIAL



TAKE NOTICE that the proceeding in this case has been continued as indicated below:

PLACE

DATE AND TIME PREVIOUSLY  
SCHEDULEDCONTINUED TO, DATE  
AND TIME

JACK C. SILVER, CLERK

U.S. MAGISTRATE OR CLERK OF COURT

8-21-89

DATE

Beverly McCullough

(BY) DEPUTY CLERK

To: Jo Stanley Glenn  
Jack Morgan

NOTE: DEFENDANT MOTIONS DUE: 8-30-89  
GOVERNMENT RESPONSES DUE: 9-7-89  
CERTIFICATION TO COURT OF ANY DISCOVERY DISPUTES DUE: 9-7-89  
PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 9-11-89, 2:30 P.M.  
REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 9-11-89

✓



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 24 1989 JS

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

LORAN EUGENE HALL, SR., )  
KENT PATRICK THIMMESCH a/k/a )

PAUL RICHARD LASSLEY, )

LOREN EUGENE HALL, JR., )

BARBARA ANN MARTENEY, )

DAVID ROYSE LADD, and )

MICHAEL STEVEN HALL, )

Defendants. )

No. 89-CR-83-E ✓

I N D I C T M E N T

[21 U.S.C. Sections 846, 841(a)(1):

Conspiracy to Manufacture;

Possess with Intent to

Distribute; and to Distribute

Methamphetamine;

21 U.S.C. Section 853: Forfeiture]

ORDER

Upon consideration of the Defendant's unopposed Motion For Bond Reduction, the Court finds that the same should be set for hearing on the 28<sup>th</sup> day of August, 1989 at 3:00 o'clock p.m.

IT IS SO ORDERED this 24<sup>th</sup> day of August, 1989.

  
MAGISTRATE

UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 22 1989

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,  
KENT PATRICK THIMMESCH a/k/a  
PAUL RICHARD LASSLEY,  
LOREN EUGENE HALL, JR.,  
BARBARA ANN MARTENEY,  
DAVID ROYSE LADD, and  
MICHAEL STEVEN HALL,

Defendants.

No. 89-CR-83-E

I N D I C T M E N T


[21 U.S.C. Sections 846, 841(a) (1):  
Conspiracy to Manufacture;  
Possess with Intent to  
Distribute; and to Distribute  
Methamphetamine;  
21 U.S.C. Section 853: Forfeiture]

MOTION FOR BOND REDUCTION

COMES NOW the Defendant, Loren Eugene Hall, Jr., and requests this Court to set this matter for a bond reduction hearing. As grounds for said hearing the Defendant would state:

1. The United States District Attorneys Office does not oppose this motion for bond reduction.

2. That the bond is presently set in the amount of Twenty-Five Thousand Dollars (\$25,000.00) cash or surety and that additional information has been obtained concerning the background of the Defendant to aid the Court in lowering the bond.

  
JIM H. HESLET, OBA# 4154  
5561 South Lewis, Suite 200  
Tulsa, Oklahoma 74105  
(918) 747-1058

CERTIFICATE OF DELIVERY

I hereby certify that on this 22 day of August, 1989, I delivered a true and correct copy of the above and foregoing Motion For Bond Reduction to: The United States District Attorneys Office, United States Courthouse, 333 West Fourth Street, Tulsa, Oklahoma.

  
JIM H. HESLET

# United States District Court

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

**ORDER OF DETENTION PENDING TRIAL**KENT P. THIMMISCH

Case Number: 89-CR-83-02-E

U.S. DISTRICT COURT

*Defendant*

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts are established by clear and convincing evidence and require the detention of the defendant pending trial in this case.

**Part I — Findings of Fact**

- ☐ (1) The defendant has been convicted of a (federal offense) (state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed) that is
- ☐ a crime of violence as defined in 18 U.S.C. §3156(a)(4).
- ☐ an offense for which the maximum sentence is life imprisonment or death.
- ☐ an offense for which a maximum term of imprisonment of ten years or more is prescribed in \_\_\_\_\_.
- ☐ a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. §3142(f)(1)(A)-(C), or comparable state or local offenses.
- ☐ (2) The offense described in finding 1 was committed while the defendant was on release pending trial for a federal, state or local offense.
- ☐ (3) A period of not more than five years has elapsed since the (date of conviction) (release of the defendant from imprisonment) for the offense described in finding 1.
- ☐ (4) Findings Nos. 1 and (2) (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an) other person(s) and the community. I further find that the defendant has not rebutted this presumption.

**Alternative Findings**

- ☒ (1) There is probable cause to believe that the defendant has committed an offense ☒ for which a maximum term of imprisonment of ten years or more is prescribed in 21 USC § 801 et seq. <sup>2</sup>
- ☐ under 18 U.S.C. §924(c).
- ☒ (2) The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

**Alternative Findings**

- ☒ (1) Defendant has waived detention hearing
- ☐ (2) \_\_\_\_\_
- ☐ (3) There is a serious risk that the defendant will flee.
- ☐ (4) There is a serious risk that the defendant will (obstruct or attempt to obstruct justice) (threaten, injure, or intimidate a prospective witness or juror).

**Part II - Written Statement of Reasons for Detention**

I find that the credible testimony and information<sup>3</sup> submitted at the hearing establishes by clear and convincing evidence that

1) The pretrial services report reveals that the defendant is presently serving a parole term for felony convictions involving violence.

**Part III - Directions Regarding Detention**

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

Dated: 8-21-89
  
 Judicial Officer

<sup>1</sup>Insert as applicable: (a) Controlled Substances Act (21 U.S.C. §801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. §951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. §955a).

<sup>2</sup>Insert as applicable: (a) Controlled Substances Act (21 U.S.C. §801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. §951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. §955a).

<sup>3</sup>"The rules concerning admissibility of evidence in criminal trials do not apply to the presentation and consideration of information at the [detention] hearing." 18 U.S.C. §3142(f). See 18 U.S.C. §3142(g) for the factors to be taken into account.

MINUTE SHEET - CRIMINAL

Date 8-21-89 USA v. Kent Patrick Mimmisch Criminal Case No. 89-CR-83-02-E (Age)       

ARRAIGNMENT &/OR CHANGE OF PLEA

JUDGE COOK	_____	Deputy R. Miller	_____	Reporter Simpson	_____
JUDGE ELLISON	_____	Deputy McCullough	_____	Reporter Dorrough	_____
JUDGE BRETT	_____	Deputy Overton	_____	Reporter Caslavka	_____
MAG. WAGNER	<u>✓</u>	Deputy Miller	<u>✓</u>	Reporter	_____
MAG. WOLFE	_____	Deputy Mayes	_____	Recorded	_____

Counsel for Government David O'Neill  
Counsel for Defendant Jo Hanley Allen  
Retained; Court Appointed; Federal Public Defender

- ✓ Defendant appears in person with counsel; without counsel; counsel waived
- ✓ Defendant acknowledges receipt of Indictment; Information
- Waives Indictment; jury trial; 30 days preparation; separate representation
- ✓ Defendant advised of charge and arraigned
- ✓ Indictment, Superseding Indictment; Information; Superseding Information;  
Filed; read; reading waived

✓ Enter plea of NG as to Counts all

Defendant withdraws plea(s) of Not Guilty to Counts \_\_\_\_\_

Counts \_\_\_\_\_ to be dismissed at sentence

Petition to enter plea of guilty sworn to and executed; Defendant relate facts of charge; petition approved and filed

Defendant adjudged guilty as charged in Counts \_\_\_\_\_

SENTENCE SET \_\_\_\_\_, PSI ordered

- ✓ Defendant allowed to stand on present bond; Defendant remanded to USM

To be mailed Defendant(s) to file any and all pre-trial motions.  
Government to respond.  
Discovery disputes.  
Pre-trial conference & hearing on motions at \_\_\_\_\_  
Parties to file any suggested voir dire, inst. & trial briefs  
Jury trial; Non-Jury trial at \_\_\_\_\_

D appears w/counsel for det & arr. D confesses det.  
D is detained pending trial. Arr held. Sched dates  
to be mailed. D remanded to custody of usm.

SD

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Minute Sheet - General

USA

Plaintiff(s),

Case No.

89-CR-83-06-E

vs.

Date

8-17-89

Michael Steven Hall

PROCEEDING

Appl to Modify  
Cond of Rel

Defendant(s).

JUDGE COOK

Deputy R. Miller

Reporter Simpson

JUDGE ELLISON

Deputy McCullough

Reporter Dorrrough

JUDGE BRETT

Deputy Overton

Reporter Caslavka

JUDGE Wagner

Deputy Miller

Reporter

COUNSEL FOR:

Plaintiff

Jack Morgan

Defendant

David Booth

MINUTES:

Δ appears w/counsel for hearing on appl to modify  
Cond of Release.

Δ requests a reduction in bond.

Cl grants requests & sets @ \$25,000 unsecured bond.  
Amended bond & amended Cond of Rel executed.

Δ released.

LIST WITNESSES ON BACK:

FILED 17 1993  
ct  
7/13/17 1993  
JACK G. SILVER, CLERK  
DISTRICT COURT  
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

No. 89-CR-83-06-E ✓

MICHAEL STEVEN HALL, et al.,  
Defendants.

BRIEF IN SUPPORT OF MOTION FOR CHANGE IN CONDITIONS OF RELEASE

The defendant, Michael Steven Hall, by and through counsel, has moved for an order changing his conditions of release. Pursuant Local Rule 15(A), this brief is being submitted in support of that motion.

1) Defendant has previously been determined by this court to be indigent and entitled to the appointment of counsel under the Criminal Justice Act, 18 U.S.C. §3006A;

2) Conditions of release have previously been set by this court. One of the conditions requires that defendant post a \$5,000.00 corporate surety bond;

3) Defendant is financially unable to post the previously referenced corporate surety bond and remains in the custody of the United States Marshal Service at the Tulsa County Jail;

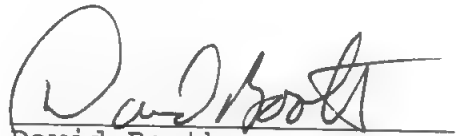
4) Defendant submits that contrary to 18 U.S.C. §3142 (c)(2), the judicial officer has imposed a financial condition that has resulted in the pretrial detention of defendant; and,

5) Defendant submits that pursuant 18 U.S.C. §3142(c)(1) non-financial conditions can be imposed that will reasonably

assure the appearance of defendant as required. Danger to the safety of any other person or the community is not at issue.

Based on the preceding, the Defendant respectfully requests that a hearing be scheduled for the reconsideration of Defendant's conditions of release.

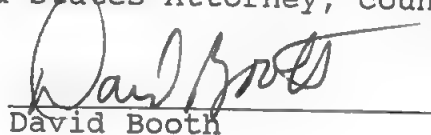
Respectfully submitted,



David Booth  
Federal Public Defender  
222 South Houston  
Suite "C"  
Tulsa, Oklahoma 74127  
(918) 581-7656  
FTS 745-7656  
Counsel for Defendant  
Michael Steven Hall

CERTIFICATE OF SERVICE

I hereby certify that on this the 17<sup>th</sup> day of August, 1989, I caused a true and correct copy of this Brief in Support of Motion for Change of Conditions of Release to be hand delivered to the office of Mr. Jack Morgan, United States Attorney, counsel for Plaintiff.

  
David Booth

87

FILED  
AUG 17 1968  
CLK C. SILVER, CLERK  
DISTRICT COURT

alt

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

No. 89-CR-83-06-E ✓

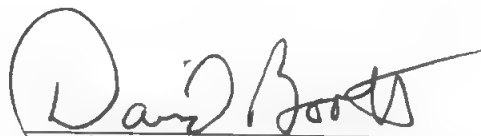
MICHAEL STEVEN HALL, et al.,  
Defendants.

MOTION FOR CHANGE OF CONDITIONS OF RELEASE

The defendant Michael Steven Hall, by and through counsel, moves the court for an order changing his conditions of release. Defendant has been unable to meet the conditions previously set and remains in custody at the Tulsa County Jail.

A brief in support of this motion is being filed simultaneously with the motion. A proposed order setting this matter for hearing is being included for the court's convenience.

Respectfully submitted,



David Booth  
Federal Public Defender  
222 South Houston  
Suite "C"  
Tulsa, Oklahoma 74127  
(918) 581-7656  
FTS 745-7656  
Counsel for Defendant  
Michael Steven Hall



CERTIFICATE OF SERVICE

I hereby certify that on this the 17<sup>th</sup> day of August, 1989, I caused a true and correct copy of this Motion for Change of Conditions of Release to be hand delivered to the office of Mr. Jack Morgan, Assistant United States Attorney, counsel for Plaintiff.

  
\_\_\_\_\_  
David Booth

# United States District Court

FILED  
AUG 16 1989

NORTHERN

DISTRICT OF

OKLAHOMA

Jack C. Smith, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

## ORDER OF TEMPORARY DETENTION PENDING HEARING PURSUANT TO BAIL REFORM ACT

KENT P. THIMMESCH

*Defendant*

Case Number:

89-CR-83-02-E

Upon motion of the UNITED STATES OF AMERICA, it is ORDERED that a  
detention hearing is set for 8-21-89 \* at 9:30 AM  
Date Time

before JOHN LEO WAGNER, U.S. MAGISTRATE  
Name of Judicial Officer

Room 4-532, U.S. Courthouse, Tulsa, OK 74103  
Location of Judicial Officer

Pending this hearing, the defendant shall be held in custody by (the United States marshal) (  
Other Custodial Official) and produced for the hearing.

Date: 8-16-89

Judicial Officer

\*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 16 1989

Jack C. [unclear] Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENT PATRICK THIMMESCH a/k/a  
Paul Richard Lassley

Defendant.

No. 89-CR-83-E ✓

MOTION FOR DETENTION HEARING

Pursuant to 18, U.S.C. § 3142(f), the United States of America hereby requests that the court hold a hearing to determine whether any condition, or combination of conditions, as set forth in 18 U.S.C. § 3142(c), will reasonably assure the appearance of the defendant as required and the safety of any other person and the community.

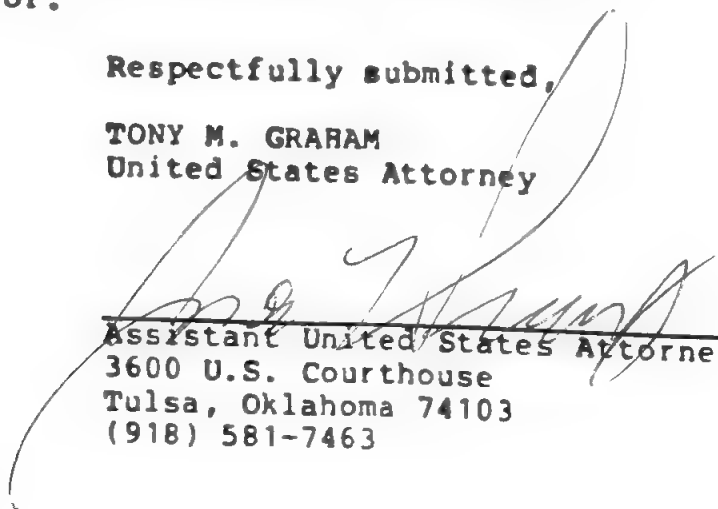
The detention hearing requested herein is sought based upon the following:

- ☐ The offense charged is a crime of violence;
- ☐ The offense charged carries a maximum sentence of life imprisonment or death;
- ☒ The offense charged carries a maximum term of imprisonment of ten years or more pursuant to the Controlled Substances Act (21 U.S.C. § 801 et. seq.), the Controlled Substances Import and Export Act (21 U.S.C. § 951 et. seq), or section 1 of the Act of September 15, 1980 (21 U.S.C. § 955(a);
- ☐ The offense charged is a felony which was committed after the defendant had been convicted of two or more prior offenses described in 18 U.S.C. § 3142(f)(1)(A) through (D), or two or more state or local offenses that would have been offenses if a circumstance giving rise to federal jurisdiction had existed;
- ☒ The existence of a serious risk that the defendant will flee;

☐ The existence of a serious risk that the defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness or juror.

Respectfully submitted,

TONY M. GRAHAM  
United States Attorney

  
Assistant United States Attorney  
3600 U.S. Courthouse  
Tulsa, Oklahoma 74103  
(918) 581-7463

INFORMATION SHEET

8/16, 1989, Before Magistrate: Wagner (✓) Wolfe ( )

Case No. 89-cr-82-02-E ✓

UNITED STATES OF AMERICA v. Kent P. Thummes

Defendant's Age 47 Sex M Date of Birth 12/24/41 **FILED**

Defendant's Address UNK. AUG 16 1989

Jack C. Shaw, Clerk  
U.S. DISTRICT COURT

(Phone #)

Date of Arrest on/about 8/16/89 Arrested by USM Denver

Bail Fixed \$ DETENTION (Cash or Surety) (10% Dep) (Unsecured)

Bail Made \$ \_\_\_\_\_ (Cash or Surety) (10% Dep) (Unsecured)

Bail Not Made \_\_\_\_\_

- Special Conditions:
- ( ) Report as Directed
  - ( ) Travel restricted to ND/OK and \_\_\_\_\_
  - ( ) Refrain from possession of firearm, etc.
  - ( ) Successful participation in drug screening
  - ( ) \_\_\_\_\_
  - ( ) \_\_\_\_\_

Preliminary Exam: Date Scheduled \_\_\_\_\_ at \_\_\_\_\_

Arraignment: Date Scheduled \_\_\_\_\_ at \_\_\_\_\_

Defendant Requests Public Defender: yes (✓) no ( )

Defendant's Attorney: Jo Stanley Glenn (Ct. Apptd) (Retained)  
1154 E. 61st St.

Tulsa, OK 74105 (Phone #) 749-5531

Attorney for USA: Don [unclear] Jim Swartz for Jack

Remarks: REQUEST Hearing Scheduled for 4:00 pm

Minute: A appears for IA, finan offid rec'd, FPO appt  
+ present. Arr + det hrg set 8-21-89 @ 9:30 AM.

(X) Defendant remanded to custody of U. S. Marshal.

# FINANCIAL AFFIDAVIT

CJA 23

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES  
IN THE CASE OF

☒ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

FOR

AT

LOCATION NUMBER

PERSON REPRESENTED (Show your full name)

Kent P. Thimmessen

- 1 ☒ Defendant—Adult
- 2 ☐ Defendant—Juvenile
- 3 ☐ Appellant
- 4 ☐ Probation Violator
- 5 ☐ Parole Violator
- 6 ☐ Habeas Petitioner
- 7 ☐ 2255 Petitioner
- 8 ☐ Material Witness
- 9 ☐ Other (Specify)

DOCKET NUMBERS

Magistrate

District Court

Court of Appeals

CHARGE/OFFENSE (describe if applicable & check box →)

- ☐ Felony  
☐ Misdemeanor

21 USC 846, 841(a)(1)  
Cansp. to Dist. Metropolitan

## ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

EMPLOYMENT

Are you now employed? ☐ Yes ☒ No ☐ Am Self Employed

Name and address of employer:

IF YES, how much do you  
earn per month? \$

IF NO, give month and year of last employment  
How much did you earn per month \$

If married is your Spouse employed? ☒ Yes ☐ No

IF YES, how much does your  
Spouse earn per month \$

If a minor under age 21, what is your  
Parents or Guardian's approximate monthly income \$

ASSETS

OTHER INCOME

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☐ Yes ☒ No

IF YES, GIVE THE AMOUNT  
RECEIVED & IDENTIFY \$  
THE SOURCES

RECEIVED

SOURCES

CASH

Have you any cash on hand or money in savings or checking account ☒ Yes ☐ No IF YES, state total amount \$38

PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☒ No

IF YES, GIVE VALUE AND \$  
DESCRIBE IT

VALUE

DESCRIPTION

OBLIGATIONS  
& DEBTS

DEPENDENTS

MARITAL STATUS

☐ SINGLE

☒ MARRIED

☐ WIDOWED  
☐ SEPARATED OR  
☐ DIVORCED

Total  
No. of  
Dependents

2

List persons you actually support and your relationship to them

WIFE and 13 y/o STEP-SON

DEBTS &  
MONTHLY  
BILLS

(LIST ALL CREDI-  
TORS, INCLUDING  
BANKS, LOAN COM-  
PANIES, CHARGE  
ACCOUNTS, ETC.)

APARTMENT  
OR HOME:

Creditors

Total Debt

Monthly Payt.

\$

\$

\$

\$

\$

\$

\$

\$

SIGNATURE OF DEFENDANT  
(OR PERSON REPRESENTED)

I certify the above to be correct.

WARNING:

A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

NO. 89-CR-83-02-E

-----  
KENT PATRICK THIMMESCH  
-----

Defendant(s)

ORDER APPOINTING COUNSEL

On this 16th day of AUGUST, 19 89, the above-named having completed an affidavit as to financial ability to employ counsel, and upon review, the Court finds that the affiant(s) is/are financially unable to obtain counsel. In accordance with the Northern District of Oklahoma Plan for Implementing the Criminal Justice Act of 1984,

IT IS HEREBY ORDERED that the:

☐

Federal Public Defender is appointed to represent the following: \_\_\_\_\_ in all further proceedings unless and until relieved by order of the court.

☒

Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, as necessary, for appointment to represent the following:  
KENT PATRICK THIMMESCH

☐

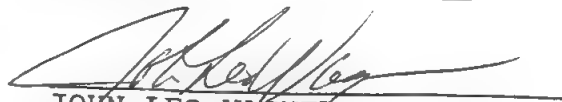
Defendant will reimburse the government for the reasonable cost of providing representation in accordance with his/her ability to pay as determined by further order of the court.

☐

Federal Public Defender is temporarily appointed to represent the following:

\_\_\_\_\_  
for purposes of initial appearance only.

Dated this 16th day of AUGUST, 19 89.

  
JOHN LEO WAGNER  
UNITED STATES MAGISTRATE

JH

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
Minute Sheet - General

USA

Time \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s),

Case No. 89-CR-83-03+06-E ✓

VS

Date 7-31-89

Loren Eugene Hall, Jr.  
Michael Steven Hall

PROCEEDING Hrg on Mot!  
Reduce Bond

\_\_\_\_\_  
Defendant(s)

MAGISTRATE Wagner Deputy Alexander Reporter Jape # 1117

COUNSEL FOR PLAINTIFF: Jack Morgan; Scott Horton,  
agent

COUNSEL FOR DEFENDANT: David Booth - Michael Hall

AS present w/ counsel. Jim Heslet - Loren Hall Jr.

MINUTES: Parties present witnesses + make closing  
comments re: reduction of bond. Mag. reduces  
bond for Michael Hall to \$5,000 C/S. All other  
conditions remain the same w/ addtl condition  
that he live w/ mother, Joan Rankin, in  
Hutchinson, KS. Loren Hall's bond reduced  
to \$25,000 C/S. All other conditions remain  
the same. AS remanded to USM.

LIST WITNESSES ~~XXXXXX~~: Δ

Joan Ann Rankin (mother)  
Michael Steven Hall  
Linda Hall (Loren's wife)  
Loren Eugene Hall, Jr.

π  
Phillip Scott Horton  
(agent)

✓



FILED

RECEIVED  
UNITED STATES DISTRICT COURT

United States District Court AUG 04 1989

89 JUL 28 11:50

NORTHERN

DISTRICT OF

OKLAHOMA

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

NORTHERN DISTRICT  
OF OKLAHOMA

MICHAEL STEVEN HALL

89 62 0707 0187D  
WARRANT FOR ARREST

CASE NUMBER:

To: The United States Marshal  
and any Authorized United States Officer

89CR

83E✓

YOU ARE HEREBY COMMANDED to arrest MICHAEL STEVEN HALL

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Conspiracy to Manufacture; Possess with Intent to Distribute; and to Distribute  
Methamphetamine; Forfeiturein violation of Title 21 United States Code, Section(s) 846, 841(a)(1), 853JACK C. SILVER

Name of Issuing Officer

Title of Issuing Officer

Signature of Issuing Officer

Date and Location

JUL 06 1989

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_  
Name of Judicial Officer

## RETURN

This warrant was received and executed with the arrest of the above-named defendant at 7200 E. 30thHutchinson, Kansas

DATE RECEIVED

July 17, 1989

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

July 10, 1989

Eddie R. De Herrera

Eddie R. De Herrera

RECEIVED  
FILED  
United States District Court AUG 04 1989  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

DISTRICT  
OF OKLAHOMA

LOREN EUGENE HALL, JR.

89 JUL 28 P 3:50  
OKLAHOMA  
Jack C. Silver, Clerk  
U.S. DISTRICT COURT

89 62 0707 0184D  
WARRANT FOR ARREST

CASE NUMBER:

89CR

83E

To: The United States Marshal  
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest LOREN EUGENE HALL, JR.

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Conspiracy to Manufacture; Possess with Intent to Distribute; and to Distribute  
Methamphetamine; Forfeiture

in violation of Title 21 United States Code, Section(s) 846, 841(a)(1), 853

JACK C. SILVER

Name of Issuing Officer

Title of Issuing Officer

JUL 06 1989

Signature of Issuing Officer

Date and Location

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_  
Name of Judicial Officer

## RETURN

This warrant was received and executed with the arrest of the above-named defendant at 53<sup>rd</sup> St. North  
& Broadway, Wichita, Kansas

DATE RECEIVED

07-17-89

NAME AND TITLE OF ARRESTING OFFICER

Eddie R. De Herrera

SIGNATURE OF ARRESTING OFFICER

Eddie R. De Herrera

DATE OF ARREST

07-12-89

FILED

JUL 27 1989 *dt*

CLERK  
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL STEVEN HALL,  
et al.,

Defendants.

)  
)  
)  
) NO. 89-CR-83-06-E ✓  
)  
)  
)  
)

O R D E R

This matter came before the court upon defendant's Motion for Reconsideration of the Conditions of Release and the brief in support of that motion. After having considered the motion and brief, the court hereby schedules this matter for hearing at 3:00 p.m. on Monday, the 31st day of July, 1989.

DATED this the 27th day of July, 1989.

  
\_\_\_\_\_  
Honorable John L. Wagner  
United States Magistrate

94-1

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

JUL 27 1989

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL STEVEN HALL,

et al.,

Defendants.

NO. 89-CR-83-06-E ✓

BRIEF IN SUPPORT OF MOTION FOR  
RECONSIDERATION OF CONDITIONS OF RELEASE

COMES NOW the defendant, Michael Steven Hall, pursuant Local Rule 15(A) and submits this brief for filing. In support of his Motion for Reconsideration of Conditions of Release, defendant states:

1) Defendant has previously been determined by this court to be an indigent and entitled to the appointment of counsel under the Criminal Justice Act, 18 U.S.C. §3006A;

2) Conditions of release have previously been entered by this court. One of the conditions requires that defendant post a \$10,000 corporate surety bond;

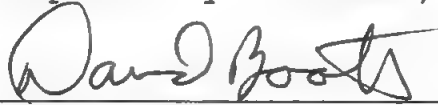
3) Defendant is financially unable to post the previously referenced corporate surety bond and has remained in custody of the United States Marshal Service at the Tulsa County jail;

4) Counsel has spoken with defendant's mother, Mrs. Joan Rankin of 213 East First #B, Hutchinson, Kansas, 67501, (316) 669-9403;

5) Mrs. Rankin states that she is willing to act as third party custodian for her son and that he may live with her at the above referenced location during the pendency of this action.

Based on the preceding, the defendant respectfully requests that a hearing be scheduled at which time testimony can be given and the court can reconsider his conditions of release.

Respectfully submitted,



DAVID BOOTH  
FEDERAL PUBLIC DEFENDER  
222 SOUTH HOUSTON, SUITE C  
TULSA, OKLAHOMA 74127  
(918) 581-7656 FTS 745-7656  
COUNSEL FOR DEFENDANT,  
MICHAEL STEVEN HALL

CERTIFICATE OF SERVICE

I hereby certify on this the 27th day of July, 1989, a true copy of this Brief in Support of Motion for Reconsideration of Conditions of Release was hand delivered to the office of Jack Morgan, Assistant United States Attorney, counsel for plaintiff.



DAVID BOOTH

FILED

JUL 27 1989 *ot*

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

NO. 89-CR-83-06-E ✓

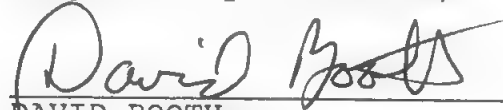
MICHAEL STEVEN HALL,  
et al., )

Defendants. )

MOTION FOR RECONSIDERATION OF CONDITIONS OF RELEASE

COMES NOW the defendant, Michael Steven Hall, and respectfully moves the court for an order setting a hearing at which time the court will reconsider his conditions of release. Pursuant Local Rule 15(A), defendant includes for filing his brief in support of this motion. A proposed order scheduling the hearing sought is being included for the court's convenience.

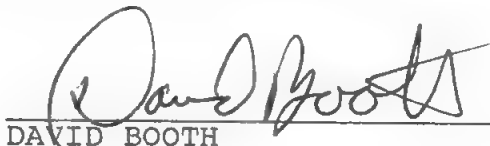
Respectfully submitted,



DAVID BOOTH  
FEDERAL PUBLIC DEFENDER  
222 SOUTH HOUSTON, SUITE C  
TULSA, OKLAHOMA 74127  
(918) 581-7656 FTS 745-7656  
COUNSEL FOR DEFENDANT,  
MICHAEL STEVEN HALL

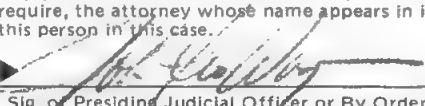
CERTIFICATE OF SERVICE

I hereby certify on this the 27th day of July, 1989, a true copy of this Motion for Reconsideration of Conditions of Release was hand delivered to the office of Jack Morgan, Assistant United States Attorney, counsel for plaintiff.

  
DAVID BOOTH

8

2-MA

1. JURISDICTION 1 <input type="checkbox"/> MAG. 2 <input checked="" type="checkbox"/> DIST. 3 <input type="checkbox"/> APPEALS 4 <input type="checkbox"/> OTHER		2. MAG. DOCKET NO.	3. DIST. CT. Docket No. <b>89-CR-03-01-E</b>	VOUCHER NO. <b>0154502</b>
4. APPEALS DOCKET NO.	5. FOR (DISTRICT/CIRCUIT) <b>ND OKLAHOMA</b>	6. LOC. CODE <b>OKNTU</b>	7. CHARGE/OFFENSE (U.S. or other code citation) <b>21:846,841(a)(1)</b>	7A. CASE CODE <b>68</b>
8. IN THE CASE OF <b>U.S.A. vs HALL</b>			9. PERSON REPRESENTED (FULL NAME) <b>LORAN EUGENE HALL, JR.</b>	
10. PERSON REPRESENTED (STATUS) 1 <input checked="" type="checkbox"/> DEFENDANT-ADULT 3 <input type="checkbox"/> APPELLANT 5 <input type="checkbox"/> OTHER 2 <input type="checkbox"/> DEFENDANT-JUVENILE 4 <input type="checkbox"/> APPELLEE			11. PROCEEDINGS (Describe briefly) <b>All Proceedings</b>	
12. PAYMENT CATEGORY A <input checked="" type="checkbox"/> FELONY C <input type="checkbox"/> PETTY OFFENSE E <input type="checkbox"/> OTHER B <input type="checkbox"/> MISDEMEANOR D <input type="checkbox"/> APPEAL				
13. COURT ORDER O <input checked="" type="checkbox"/> Appointing Counsel F <input type="checkbox"/> Subs. for FD P <input type="checkbox"/> Subs. for Panel Atty. C <input type="checkbox"/> Co-Counsel R <input type="checkbox"/> Subs. for Retained Atty. Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in item 14 is appointed to represent this person in this case.  <b>LJW</b>  Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy) <b>July 20, 1989</b> Date of Order Nunc Pro Tunc Date				
14. NAME OF ATTORNEY/PAYEE AND MAILING ADDRESS <b>Jim Heslet 5561 S. Lewis, Ste. 200 Tulsa, OK 74105</b>				
15. TELEPHONE NO. <b>(918) 747-1058</b>			16. SOC. SEC. NO. <b>444-40-4801</b>	

**CLAIM FOR SERVICES OR EXPENSES**

SERVICE		HOURS	DATES		
IN COURT	a. Arraignment and/or Plea			Multiply rate per hour times total hours to obtain "In Court" compensation.  Enter total below.	
	b. Bail and Detention Hearings				
	c. Motions Hearings				
	d. Trial				
	e. Sentence Hearings				
	f. Revocation Hearings				
	g. Appeals Court				
	h. Other (Specify on additional sheets)				
(Rate per hour = <b>\$60</b> ) TOTAL HOURS =				17A. TOTAL IN COURT COMP. \$	
OUT OF COURT	a. Interviews and conferences			Multiply rate per hour times total hours. Enter total "out of court" compensation below.	
	b. Obtaining and reviewing records				
	c. Legal research and brief writing				
	d. Travel time (Specify on additional sheets)				
	e. Investigative and other work (Specify on additional sheets)				
(Rate per hour = <b>\$40</b> ) TOTAL HOURS =				18A. TOTAL OUT OF COURT COMPENSATION \$	
EXPENSES	19. TRAVEL, LODGING, MEALS ETC.	AMOUNT	OTHER EXPENSES	AMOUNT	19A. TOTAL TRAVEL EXP. \$
					19B. TOTAL OTHER EXP. \$
					20. GRAND TOTAL CLAIMED \$

21. CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD _____ TO _____	
F <input type="checkbox"/> Final Payment I <input type="checkbox"/> Interim Payment No. _____	
Has compensation and/or reimbursement for work in this case previously been applied for? <input type="checkbox"/> YES <input type="checkbox"/> NO	
If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, by whom were you paid? _____ How much? _____	
Has the person represented paid any money to you, or to your knowledge to anyone else, in connection with the matter for which you were appointed to provide representation? <input type="checkbox"/> YES <input type="checkbox"/> NO	
If yes, give details on additional sheets.	
I swear or affirm the truth or correctness of the above statements	
SIGNATURE OF ATTORNEY/PAYEE _____ DATE _____	

APPROVED FOR PAYMENT	22. IN COURT COMP. \$	23. OUT OF COURT COMP. \$	24. TRAVEL EXPENSE \$	25. OTHER EXPENSES \$	26. TOTAL AMT. APPROVED/CERT. \$
	27. SIGNATURE OF PRESIDING JUDICIAL OFFICER _____			DATE _____	27A. JUDGE/MAG. CODE _____
	28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR DELEGATE) _____			DATE _____	29. TOTAL AMT. APPROVED \$

# United States District Court

DISTRICT OF KANSAS

FILED  
JUL 17 1989  
Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

## WAIVER OF RULE 40 HEARINGS (Excluding Probation Cases)

MICHAEL STEVEN HALL

Case Number: 89-1081M-01

89-GR-83-06-E ✓

I, Michael Steven Hall, understand that in the  
Northern District of Oklahoma, charges are pending  
alleging violation of 21 USC 846; 841; 853 Drugs and that I have been  
arrested in this District and taken before a United States Magistrate, who informed me of the charge and of my  
right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the  
proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing  
to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has  
been returned or an information filed) to determine whether there is probable cause to believe an offense has  
been committed by me, the hearing to be held either in this district or the district of prosecution.

**FILED**

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

JUL 17 1989

- ( ☒ ) identity hearing
- ( ☐ ) preliminary examination
- ( ☐ ) identity hearing and have been informed I have no right to a preliminary examination
- ( ☐ ) identity hearing but request a preliminary examination be held in the prosecuting district

RALPH L. DeLOACH, CLERK  
By Carla Ray Deputy

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the  
charge is pending against me.

X Michael Hall  
Defendant

July 13, 1989

Date

Charles D. Anderson  
Defense Counsel



CLERK'S COURTROOM MINUTE SHEET - CRIMINALPRETRIAL PROCEEDINGSCASE NO. 89-108174-01

UNITED STATES OF AMERICA

A  
P  
P  
E  
A  
R  
A  
N  
C  
E  
S**FILED**

JUL 13 1989

vs.

Michael Steven HallRALPH L. DeLOACH, CLERK  
By Carla Ray Deputy

( ) Retained

( ) Appointed

JUDGE: WooleyCLERK: Larew  
Mackay

REPORTER: \_\_\_\_\_

KANSAS CITY \_\_\_\_\_

WICHITA X

TOPEKA \_\_\_\_\_

DATE: 7-11-89PROCEEDINGS

- ( ) Probation Revocation  
 (X) RULE 5 ( ) DENTENTION HEARING ( ) BAIL HEARING  
 ( ) ARRAIGNMENT & PLEA ( ) WAIVER OF INDICTMENT (X) FELONY  
 ( ) CHANGE PLEA ( ) APPEARANCE ( ) MISDEMEANOR  
 (X) Def. sworn to financial status (X) Counsel appointed  
 (X) Constitutional Rights Explained  
 ( ) Declines to Waive Indictment ( ) Will be presented to next Grand Jury  
 ( ) Signed Waiver of Indictment ( ) Information filed on \_\_\_\_\_  
 ( ) Signed Consent to Transfer under Rule 20 ( ) Petition for Probation Action  
 ( ) Petition to Enter Plea filed ( ) Complaint ( ) Violation Notice  
 ( ) Waived Reading of: (X) Indictment ( ) Number of Counts \_\_\_\_\_  
 ( ) Information ( ) Read to Defendant  
 ( ) Previous Plea: ( ) Guilty ( ) Not Guilty Counts: \_\_\_\_\_ Withdrawn  
 ( ) Guilty Counts: \_\_\_\_\_ Accepted  
 ( ) Not Guilty Counts: \_\_\_\_\_  
 ( ) Admitted ( ) Denied -- Being Juvenile Delinquent as charged  
 ( ) Forms Furnished  
 ( ) Judgment deferred ( ) P.S.I. Ordered ( ) Sentencing Set for: \_\_\_\_\_  
 ( ) Set for trial  
 (X) Bail \$10,000.00 c/o ( ) Continued on Present Bail (X) Remanded to custody  
 ( ) Remain at \$ \_\_\_\_\_ ( ) Release ordered ( ) Detention ordered  
 ( ) Counts: \_\_\_\_\_ ( ) To be Dismissed on Motion of U. S. Attorney at Time  
 of Sentencing.  
 (X) Continued to 7-12-89 at 1:30 P.M. for bail & removal hrg.

Motions to be filed by: \_\_\_\_\_

Responses or briefs filed by: \_\_\_\_\_

Reply Briefs: \_\_\_\_\_

Motions heard on: \_\_\_\_\_

Tentative Trial Date: \_\_\_\_\_

- ( ) Defendant waived Omnibus Hearing  
 ( ) Defendant refused to proceed in Magistrate's Court and remanded to

United States District Court **FILED**

DISTRICT OF KANSAS

JUL 13 1989

UNITED STATES OF AMERICA

RALPH L. DeLOACH, CLERK  
By Carla Ray Deputy

v.

**ORDER SETTING CONDITIONS  
OF RELEASE**

Case Number: 89-1081M-01

MICHAEL STEVEN HALL

Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall advise the court and the U.S. attorney in writing prior to any change in address, telephone number and place of employment (and telephone number)
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence

imposed as directed. The defendant shall next appear at (if blank, to be notified) 326 U. S. Courthouse  
Place  
Wichita, Kansas on July 12, 1989 at 9:30 a.m. / 1:30 p.m.  
Date and Time

**Release on Personal Recognizance or Unsecured Bond**

IT IS FURTHER ORDERED that the defendant be released provided that:

- ( ☒ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- ( ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

**Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and State) \_\_\_\_\_ (Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

( X ) (7) The defendant shall:

( ) (a) maintain or actively seek employment.

( ) (b) maintain or commence an educational program.

X (c) abide by the following restrictions on his personal associations, place of abode, or travel:

That defendant not leave Kansas during the time this  
case is pending without first obtaining permission  
of the court.

X (d) avoid all contact with ~~the following named persons who are considered~~ alleged victims or potential witnesses:

( ) (e) report on a regular basis to the following agency: \_\_\_\_\_

( ) (f) comply with the following curfew: \_\_\_\_\_

( ) (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.

( ) (h) refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.

( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: \_\_\_\_\_

( ) (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: \_\_\_\_\_

( ) (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: \_\_\_\_\_

X (l) execute a bail bond with solvent sureties in the amount of \$ 10,000.00

( ) (m) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

( ) (n) surrender any passport to \_\_\_\_\_

( ) (o) obtain no passport.

( ) (p) \_\_\_\_\_

### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

X Mike Hall  
Signature of Defendant  
Sedgwick County Jail  
Address  
Wichita, Kansas  
City and State Telephone

### Directions to United States Marshal

- ( ) The defendant is ORDERED released after processing.
- X The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date:

July 11, 1989

John B. Wooley  
Judicial Officer

**FILED**

Clerk or Deputy Clerk

# FINANCIAL AFFIDAVIT

CJA-23

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES ☐ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)  
IN THE CASE OF

FOR

AT

LOCATION NUMBER

PERSON REPRESENTED (Show your full name)

*Michael Steven Hall*

- 1 ☒ Defendant—Adult
- 2 ☐ Defendant—Juvenile
- 3 ☐ Appellant
- 4 ☐ Probation Violator
- 5 ☐ Parole Violator
- 6 ☐ Habeas Petitioner
- 7 ☐ 2255 Petitioner
- 8 ☐ Material Witness
- 9 ☐ Other (Specify)

DOCKET NUMBERS

Magistrate

District Court

Court of Appeals

CHARGE/OFFENSE (describe if applicable & check box →)

☒ Felony  
☐ Misdemeanor

## ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

### EMPLOYMENT

Are you now employed? ☐ Yes ☒ No ☐ Am Self Employed

Name and address of employer: *Fort Emp. Henry, 1988, by Ivory Coast - Conversion*

IF YES, how much do you earn per month? \$ *00.00*

IF NO, give month and year of last employment *7/88 or 8/88*  
How much did you earn per month \$ *800.00*

If married is your Spouse employed? ☐ Yes ☐ No *N/A*

IF YES, how much does your Spouse earn per month \$ *N/A*

If a minor under age 21, what is your Parents or Guardian's approximate monthly income \$ *N/A*

### ASSETS

### OTHER INCOME

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☐ Yes ☒ No

IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES

RECEIVED

SOURCES

### CASH

Have you any ~~cash on hand~~ or money in savings or checking account ☐ Yes ☒ No *on hand* IF YES, state total amount \$ *50*

### PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☒ No

IF YES, GIVE VALUE AND \$ DESCRIBE IT

VALUE

DESCRIPTION

### OBLIGATIONS & DEBTS

### DEPENDENTS

MARITAL STATUS

☐ SINGLE

☐ MARRIED

☒ WIDOWED  
☐ SEPARATED OR  
☐ DIVORCED

Total No. of Dependents

List persons you actually support and your relationship to them

### DEBTS & MONTHLY BILLS

(LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)

APARTMENT OR HOME:

Creditors

Total Debt

Monthly Payt.

<i>1050 No. George St.</i>	\$	\$
<i>Delby, Rouson 67037</i>	\$	\$
	\$	\$
	\$	\$

I certify the above to be correct.

SIGNATURE OF DEFENDANT (OR PERSON REPRESENTED)

WARNING:

A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK  
DISTRICT OF KANSAS

RALPH L. DELOACH  
CLERK

204 U.S. COURTHOUSE  
401 NORTH MARKET  
WICHITA, KANSAS 67202  
(316) 269-6491  
FTS: 752-6491

490 U.S. COURTHOUSE  
444 S.E. QUINCY  
TOPEKA, KANSAS 66683  
(913) 295-2610  
FTS: 752-2610

151 U.S. COURTHOUSE  
812 NORTH SEVENTH  
KANSAS CITY, KANSAS 66101  
(913) 236-3719  
FTS: 757-3719

July 19, 1989

RECEIVED

JUL 21 1989

CK C. SILVER, CLERK  
DISTRICT COURT

Jack C. Silver, Clerk  
U.S. District Court  
411 U.S. Courthouse  
333 W. 4th Street  
Tulsa, OK 74103

RE: United States of America v. Michael Steven Hall  
Mag. No. 89-1081M-01 Oklahoma No. 89 CR 83E

Dear Sir:

I enclose together with a certified copy of the Commitment to Another District (pursuant to Rule 40) the following papers:

Waiver of Removal Hearing  
Courtroom Minute Sheet dated 7-11-89  
Order Setting Conditions of Release  
Appointment of Federal Public Defender  
Financial affidavit

Please acknowledge receipt of the above papers on the enclosed copy of this letter. ✓

Very truly yours,

RALPH L. DELOACH, CLERK

By Carla Ray  
Carla Ray, Deputy Clerk

cc: U.S. Attorney  
Federal Public Defender  
U.S. Magistrate  
U.S. Probation

# United States District Court

1989

DISTRICT OF KANSAS

Clerk

DISTRICT COURT

UNITED STATES OF AMERICA

V.

## WAIVER OF RULE 40 HEARINGS (Excluding Probation Cases)

LOREN EUGENE HALL, JR.

Case Number: 89-1081M-02

89-CR-93-03-E ✓

I, Loren Eugene Hall, Jr., understand that in theNorthern District of Oklahoma, charges are pendingalleging violation of 21 USC 846; 841; 853 Drugs and that I have been

arrested in this District and taken before a United States Magistrate, who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

**FILED**

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

JUL 17 1989

☒ identity hearing☐ preliminary examination☐ identity hearing and have been informed I have no right to a preliminary examination☐ identity hearing but request a preliminary examination be held in the prosecuting districtRALPH L. DeLOACH, CLERK  
By Carla Ray Deputy

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

Loren E Hall Jr  
 Defendant

D. Craig Birk  
 Defense Counsel

July 14, 1989

Date

10311



( ) Defendant waived Omnibus Hearing'

( ) Defendant refused to proceed in Magistrate's Court and remanded to District Court

# FINANCIAL AFFIDAVIT

CJA 23

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES  
IN THE CASE OF

☒ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

U.S.A.

FOR

DISTRICT OF KANSAS

AT

WICHITA, KANSAS

LOCATION NUMBER

KSXWI

DOCKET NUMBERS

Magistrate

District Court

Court of Appeals

PERSON REPRESENTED (Show your full name)

*Loran Eugene Hall, Jr.*

- ☒ Defendant—Adult
- ☐ Defendant—Juvenile
- ☐ Appellant
- ☐ Probation Violator
- ☐ Parole Violator
- ☐ Habeas Petitioner
- ☐ 2255 Petitioner
- ☐ Material Witness
- ☐ Other (Specify) \_\_\_\_\_

CHARGE/OFFENSE (describe if applicable & check box →)

- ☒ Felony
- ☐ Misdemeanor

## ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

### EMPLOYMENT

Are you now employed? ☒ Yes ☐ No ☐ Am Self Employed

Name and address of employer: *Self emp. Hall's Tree Service (Wichita, Kan)*

IF YES, how much do you earn per month? *\$20,000.00*

IF NO, give month and year of last employment

How much did you earn per month? *\$20,000.00*

If married is your Spouse employed? ☒ Yes ☐ No *Married*

IF YES, how much does your Spouse earn per month? *\$00.00*

If a minor under age 21, what is your

Parents or Guardian's approximate monthly income? *N/A*

### ASSETS

#### OTHER INCOME

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☐ Yes ☒ No

IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES

RECEIVED

SOURCES

#### CASH

Have you any ~~cash on hand or~~ money in savings or checking account ☐ Yes ☒ No *on hand* IF YES, state total amount *\$11.70*

#### PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☒ Yes ☐ No

IF YES, GIVE VALUE AND DESCRIBE IT

VALUE

DESCRIPTION

*\$200.00*

*1974 Ford 3/4 ton Trucb.*

### OBLIGATIONS & DEBTS

#### DEPENDENTS

MARITAL STATUS

☐ SINGLE

☒ MARRIED

☐ WIDOWED

☐ SEPARATED OR

☐ DIVORCED

Total No. of Dependents

*3*

List persons you actually support and your relationship to them

*Wife + 2 Children*

#### DEBTS & MONTHLY BILLS

APARTMENT OR HOME:

*1050 No*

Creditors

Total Debt

Monthly Payl.

*Garage*

\$

*\$500.00*

SUBSCRIBED AND SWORN BEFORE ME THIS

*12*

*DAY*

*1989*

*TELE*

*(EUS 788-888)*

*7/12/89*

SIGNATURE OF DEFENDANT (OR PERSON REPRESENTED)

I certify the above to be correct.

*X Loran E Hall Jr*

*7/12/89*

WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

## United States District Court

FILED

JUL 14 1989

DISTRICT OF KANSAS

RALPH L. DeLOACH, CLERK

By Carla Ray Deputy

UNITED STATES OF AMERICA

v.

ORDER SETTING CONDITIONS  
OF RELEASELOREN EUGENE HALL, JR.

Case Number: 89-1081M-02

Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall advise the court and the U.S. attorney in writing prior to any change in address, telephone number and place of employment (and telephone number)
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence

imposed as directed. The defendant shall next appear at (if blank, to be notified) \_\_\_\_\_

Place

Wichita, Kansas on July 19, 1989 at 9:30 a.m. ~~\_\_\_\_\_~~

Date and Time

## Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- ( ☒ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- ( ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

**Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and State) \_\_\_\_\_

(Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

( x ) (7) The defendant shall:

( ) (a) maintain or actively seek employment.

( ) (b) maintain or commence an educational program.

( x ) (c) abide by the following restrictions on his personal associations, place of abode, or travel:

That defendant not leave Kansas during the time this case is  
pending without first obtaining permission of the court.

( x ) (d) avoid all contact with ~~the following named persons who are considered either~~ alleged victims or potential witnesses: \_\_\_\_\_

( ) (e) report on a regular basis to the following agency: \_\_\_\_\_

( ) (f) comply with the following curfew: \_\_\_\_\_

( ) (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.

( ) (h) refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.

( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: \_\_\_\_\_

( ) (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: \_\_\_\_\_

( ) (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: \_\_\_\_\_

( x ) (l) execute a bail bond with solvent sureties in the amount of \$ 50,000.00

( ) (m) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

( ) (n) surrender any passport to \_\_\_\_\_

( ) (o) obtain no passport.

( ) (p) \_\_\_\_\_

### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

x Frederick Hall Jr  
Signature of Defendant  
Sedgewick County Jail  
Address  
Wichita, Kansas  
City and State Telephone

### Directions to United States Marshal

( ) The defendant is ORDERED released after processing.

☒ The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: July 12, 1989

John D. Woolley  
Judicial Officer

CJA-20 (Int. - 1/88) **APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL**

1. JURISDICTION 1 <input checked="" type="checkbox"/> MAG. 2 <input type="checkbox"/> DIST. 4 <input type="checkbox"/> OTHER		3. <input type="checkbox"/> APPEALS 3 <input type="checkbox"/> APPEALS 4 <input type="checkbox"/> OTHER		2. MAG. DOCKET NO. <b>89-1081M-02</b>	3. DIST. CT. D. NO.	VOUCHER NO. <b>0144724</b>
4. APPEALS DOCKET NO.		5. FOR (DISTRICT/CIRCUIT) <b>Kansas</b>		6. LOC. CODE <b>KSXWI</b>	7. CHARGE/OFFENSE (U.S. or other code citation) <b>21 USC 841</b>	7A. CASE CODE <b>68</b>
8. IN THE CASE OF <b>U.S.A</b> vs <b>Hall</b>				9. PERSON REPRESENTED (FULL NAME) <b>Loren Eugene Hall, Jr.</b>		9A. NO. REPRES. <b>1</b>
10. PERSON REPRESENTED (STATUS) 1 <input checked="" type="checkbox"/> DEFENDANT-ADULT 3 <input type="checkbox"/> APPELLANT 5 <input type="checkbox"/> OTHER 2 <input type="checkbox"/> DEFENDANT-JUVENILE 4 <input type="checkbox"/> APPELLEE				11. PROCEEDINGS (Describe briefly) <b>all proceedings</b>		
12. PAYMENT CATEGORY A <input checked="" type="checkbox"/> FELONY C <input type="checkbox"/> PETTY OFFENSE E <input type="checkbox"/> OTHER B <input type="checkbox"/> MISDEMEANOR D <input type="checkbox"/> APPEAL				<b>FILED</b>  <b>JUL 14 1989</b>		

13. COURT ORDER O <input checked="" type="checkbox"/> Appointing Counsel F <input type="checkbox"/> Subs. for FD P <input type="checkbox"/> Subs. for Panel Atty. C <input type="checkbox"/> Co-Counsel R <input type="checkbox"/> Subs. for Retained Atty.		Appt. Date <u>July 12, 1989</u> By <u>Ralph DeLoach</u> Voucher No. <u>514-52-7980</u>	
Because the above-named "person represented" has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in item 14 is appointed to represent this person in this case.  Sig. of Presiding Judicial Officer or By Order of Court (Clerk/Deputy) <u>[Signature]</u>		14. NAME OF ATTORNEY/PAYEE AND MAILING ADDRESS  <b>G. Craig Robinson</b> <b>Attorney at Law</b> <b>330 N. Main</b> <b>Wichita, Kansas 67202</b>	
Date of Order <u>July 12, 1989</u>		Nunc Pro Tunc Date _____	
15. TELEPHONE NO. <b>316/267-1229</b>		16. SOC. SEC. NO. <b>514-52-7980</b>	

CLAIM FOR SERVICES OR EXPENSES						
SERVICE			HOURS	DATES		Multiply rate per hour times total hours to obtain "In Court" compensation.  Enter total below.  17A. TOTAL IN COURT COMP.  \$
IN COURT	17.	a. Arraignment and/or Plea				
	b. Bail and Detention Hearings					
	c. Motions Hearings					
	d. Trial					
	e. Sentence Hearings					
	f. Revocation Hearings					
	g. Appeals Court					
	h. Other (Specify on additional sheets)					
(Rate per hour = 60.00 ) TOTAL HOURS =						
OUT OF COURT	18.	a. Interviews and conferences				Multiply rate per hour times total hours. Enter total "out of court" compensation below.  18A. TOTAL OUT OF COURT COMPENSATION  \$
	b. Obtaining and reviewing records					
	c. Legal research and brief writing					
	d. Travel time (Specify on additional sheets)					
	e. Investigative and other work (Specify on additional sheets)					
	(Rate per hour = 40.00 ) TOTAL HOURS=					
EXPENSES	19.	TRAVEL, LOD NG, MEALS ETC.	AMOUNT	OTHER EXPENSES	AMOUNT	19A. TOTAL TRAVEL EXP.  \$
						19B. TOTAL OTHER EXP.  \$
						20. GRAND TOTAL CLAIMED  \$

21. CERTIFICATION OF ATTORNEY/PAYEE FOR PERIOD _____ TO _____					
F <input type="checkbox"/> Final Payment I <input type="checkbox"/> Interim Payment No. _____ Has compensation and/or reimbursement for work in this case previously been applied for? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, by whom were you paid? _____ How much? _____ Has the person represented paid any money to you, or to your knowledge to anyone else, in connection with the matter for which you were appointed to provide representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements					
SIGNATURE OF ATTORNEY/PAYEE			DATE		
APPROVED FOR PAYMENT	22. IN COURT COMP.	23. OUT OF COURT COMP.	24. TRAVEL EXPENSE	25. OTHER EXPENSES	26. TOTAL AMT. APPROVED/CERT.
	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
	27. SIGNATURE OF PRESIDING JUDICIAL OFFICER			DATE	27A. JUDGE/MAG. CODE
28. SIGNATURE OF CHIEF JUDGE, CT. OF APPEALS (OR DELEGATE)			DATE	29. TOTAL AMT. APPROVED	
				\$ _____	

UNITED STATES DISTRICT COURT  
OFFICE OF THE CLERK  
DISTRICT OF KANSAS

RALPH L. DELOACH  
CLERK  
204 U.S. COURTHOUSE  
401 NORTH MARKET  
WICHITA, KANSAS 67202  
(316) 269-6491  
FTS: 752-6491

490 U.S. COURTHOUSE  
444 S.E. QUINCY  
TOPEKA, KANSAS 66683  
(913) 295-2610  
FTS: 752-2610  
151 U.S. COURTHOUSE  
812 NORTH SEVENTH  
KANSAS CITY, KANSAS 66101  
(913) 236-3719  
FTS: 757-3719

July 19, 1989

Jack C. Silver, Clerk  
U.S. District Court  
411 U.S. Courthouse  
333 W. 4th Street  
Tulsa, OK 74103

RE: United States of America v. Loren Hall, Jr.  
Mag. No. 89-1081M-02 Oklahoma No. 89 CR 83E

Dear Sir:

I enclose together with a certified copy of the Commitment to Another District (pursuant to Rule 40) the following papers:

Waiver of Removal Hearing  
Courtroom Minute Sheet dated 7-12-89  
Order Setting Conditions of Release  
CJA Appointment of Counsel  
Financial affidavit

Please acknowledge receipt of the above papers on the enclosed copy of this letter.

Very truly yours,

RALPH L. DELOACH, CLERK

By Carla Ray  
Carla Ray, Deputy Clerk

cc: U.S. Attorney  
Craig Robinson  
U.S. Magistrate  
U.S. Probation

RECEIVED  
JUL 21 1989  
JACK C. SILVER, CLERK  
DISTRICT COURT

FILED

## United States District Court

JUL 8 1989

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA

V.

ORDER SETTING CONDITIONS  
OF RELEASE

LOREN E. HALL

Case Number: 89-CR-83-03-E

Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall advise the court and the U.S. attorney in writing prior to any change in address.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear at (if blank, to be notified) \_\_\_\_\_

Place

on \_\_\_\_\_

Date and Time

## Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- ( ☒ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- (    ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.



**Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and State) \_\_\_\_\_ (Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

( XX ) (7) The defendant shall:

( ) (a) maintain or actively seek employment.

( ) (b) maintain or commence an educational program.

XX (c) abide by the following restrictions on his personal associations, place of abode, or travel:

Travel is restricted to the Northern District of Oklahoma unless  
permission to travel outside the Northern District is granted  
from the U. S. Probation Office.

( ) (d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:

\_\_\_\_\_

XX (e) report on a regular basis to the following agency:

Report to the U. S. Probation Office as directed.

( ) (f) comply with the following curfew: \_\_\_\_\_

( ) (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.

( ) (h) refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.

( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: \_\_\_\_\_

XX (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: \$50,000 cash/surety

( ) (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: \_\_\_\_\_

( ) (l) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_.

( ) (m) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

( ) (n) surrender any passport to \_\_\_\_\_

( ) (o) obtain no passport.

XX (p) To successfully participate in drug monitoring as directed by the  
U. S. Probation Office

### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

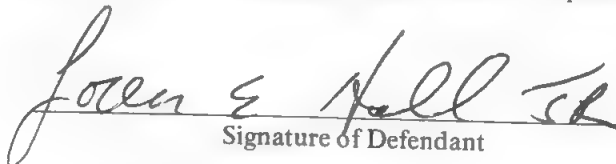
It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

  
Signature of Defendant

1050 N. Georgie St.

Address

788-6015

Derby, KS 67037

City and State

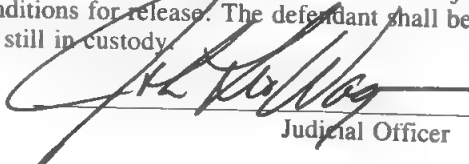
NO PHONE

Telephone

### Directions to United States Marshal

- ( ) The defendant is ORDERED released after processing.
- ☒ The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 7-20-89

  
Judicial Officer

INFORMATION SHEET

July 20, 1989, Before Magistrate: Wagner (☒) Wolfe ( )  
 Case No. 89-CR-83-E (09) ☒ **FILED**

UNITED STATES OF AMERICA v. horen E. Hall Jul 27 1989 ☒

Defendant's Age 34 Sex male Date of Birth 4-30-55

Defendant's Address 1050 N. GEORGIE Jack C. Silver, Clerk  
Derby Kansas 67037 U.S. DISTRICT COURT

(Phone #) 788-6015  
none (daughter's phone)

Date of Arrest \_\_\_\_\_ Arrested by \_\_\_\_\_

Bail Fixed \$ 50,000 (as set in dist of KS) (Cash or Surety) (10% Dep) (Unsecured)

Bail Made \$ \_\_\_\_\_ (Cash or Surety) (10% Dep) (Unsecured)

Bail Not Made ☒

Special Conditions: ( ☒ ) Report as Directed  
 ( ☒ ) Travel restricted to ND/OK and dist / KS + WD / OK  
 ( ) Refrain from possession of firearm, etc.  
 ( ☒ ) Successful participation in drug screening  
 ( ) \_\_\_\_\_  
 ( ) \_\_\_\_\_

Preliminary Exam: Date Scheduled \_\_\_\_\_ at \_\_\_\_\_

Arraignment: Date Scheduled \_\_\_\_\_ at \_\_\_\_\_

Defendant Requests Public Defender: yes ( ) no ( )

Defendant's Attorney: Jim Neslet (Ct. Apptd) (Retained)  
5561 S. Lewis Ave. Suite 200  
74105 (Phone #) 747-1058

Attorney for USA: J. Morgan

Remarks: \_\_\_\_\_

Minute: Appears for JA. Final Affid executed, FBI appt & present  
Bond continued as set in dist of KS. Arr held, A  
pleads NA, sched dates to be mld.  
Bail not made.

☒ Defendant remanded to custody of U. S. Marshal.

4

# FINANCIAL AFFIDAVIT

CJA 23

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES  
IN THE CASE OF

☐ MAGISTRATE ☒ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

FOR

AT

LOCATION NUMBER

1085-4

PERSON REPRESENTED (Show your full name)

LOREN Eugene Hall

CHARGE/OFFENSE (describe if applicable & check box - )

Conspiracy to mfg.  
Controlled Substance T 21:846

☒ Felony  
☐ Misdemeanor

- 1 ☒ Defendant—Adult
- 2 ☐ Defendant—Juvenile
- 3 ☐ Appellant
- 4 ☐ Probation Violator
- 5 ☐ Parole Violator
- 6 ☐ Habeas Petitioner
- 7 ☐ 2255 Petitioner
- 8 ☐ Material Witness
- 9 ☐ Other (Specify)

DOCKET NUMBERS

Magistrate

District Court

89-CR-83-E  
Court of Appeals

1989  
J. C. Silver, Clerk  
U.S. DISTRICT COURT

## ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

### EMPLOYMENT

Are you now employed? ☐ Yes ☐ No ☒ Am Self Employed

Name and address of employer: Hais Per Service, Derby, Kansas

IF YES, how much do you  
earn per month? \$ 2000 ±

IF NO, give month and year of last employment  
How much did you earn per month \$

If married is your Spouse employed? ☐ Yes ☒ No

IF YES, how much does your  
Spouse earn per month \$

If a minor under age 21, what is your  
Parents or Guardian's approximate monthly income \$

### OTHER INCOME

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☐ Yes ☒ No

IF YES, GIVE THE AMOUNT  
RECEIVED & IDENTIFY \$  
THE SOURCES

RECEIVED

SOURCES

### CASH

Have you any cash on hand or money in savings or checking account ☐ Yes ☒ No IF YES, state total amount \$

### PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☒ No

IF YES, GIVE VALUE AND \$  
DESCRIBE IT

VALUE

DESCRIPTION

### DEPENDENTS

MARITAL STATUS

- ☐ SINGLE  
☒ MARRIED  
☐ WIDOWED  
☐ SEPARATED OR  
☐ DIVORCED

Total  
No. of  
Dependents

2

List persons you actually support and your relationship to them

wife - LINDA ANN HALL (41)

~~son - Austin David Hall (12)~~

son Joshua David Hall (8)

### OBLIGATIONS & DEBTS

#### DEBTS & MONTHLY BILLS

(LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)

APARTMENT OR HOME:

Creditors

Total Debt

Monthly Payt.

Rent

\$ 500

Misc Back DEBTS

\$ 25,400

Bank Recently Repossessed Equip, Man

\$

Bk Reduced -

\$

I certify the above to be correct.

SIGNATURE OF DEFENDANT  
(OR PERSON REPRESENTED)

Loren E Hall JR

7-20-89

### WARNING:

A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH

FILED

JUL 20 1989

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NO. 89-CR-83-01-E

-----  
LOREN E. HALL  
-----

Defendant(s)

ORDER APPOINTING COUNSEL

On this 20th day of JULY, 19 89, the above-named having completed an affidavit as to financial ability to employ counsel, and upon review, the Court finds that the affiant(s) is/are financially unable to obtain counsel. In accordance with the Northern District of Oklahoma Plan for Implementing the Criminal Justice Act of 1984,

IT IS HEREBY ORDERED that the:

☐

Federal Public Defender is appointed to represent the following: \_\_\_\_\_ in all further proceedings unless and until relieved by order of the court.

☒

Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, as necessary, for appointment to represent the following: LOREN E. HALL.

☐

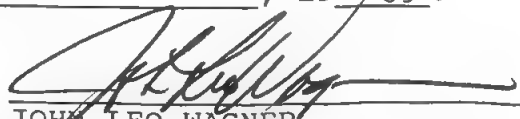
Defendant will reimburse the government for the reasonable cost of providing representation in accordance with his/her ability to pay as determined by further order of the court.

☐

Federal Public Defender is temporarily appointed to represent the following: \_\_\_\_\_

for purposes of initial appearance only.

Dated this 20th day of JULY, 19 89.

  
JOHN LEO WAGNER  
UNITED STATES MAGISTRATE

# United States District Court

DISTRICT OF KANSAS

UNITED STATES OF AMERICA

V.

LOREN HALL, JR.

## COMMITMENT TO ANOTHER DISTRICT

CASE NUMBER: 88-1081M-02

The defendant is charged with a violation of 21 U.S.C. 841; 846; 853 alleged to have been committed in the Northern District of Oklahoma.

### Brief Description of Charge(s):

manufacturing of, possession of and distribution of methamphetatmine, a Schedule II controlled substance.

The defendant has been unable to obtain release under the Bail Reform Act of 1984, 18 U.S.C. 553141-3143.

### TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant, all proceedings required by Fed. R. Crim. P. 40 having been completed.

July 17, 1989  
Date

John B. Wooley  
Judicial Officer

### RETURN

COPY

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED <u>7/19/89</u>		PLACE OF COMMITMENT <u>U.S.M.S. ND/OK</u>	DATE DEFENDANT COMMITTED <u>7/20/89</u>
DATE <u>7/20/89</u>	UNITED STATES MARSHAL <u>Kenneth L. PeKarek</u>		(BY) DEPUTY MARSHAL <u>[Signature] SDUSM</u>

## United States District Court

JUL 11 1989

NORTHERN

DISTRICT OF

OKLAHOMA Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

ORDER SETTING CONDITIONS  
OF RELEASE

MICHAEL STEVEN HALL

Case Number: 89-CR-83-06-E

Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall advise the court and the U.S. attorney in writing prior to any change in address.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear at (if blank, to be notified) \_\_\_\_\_

Place

on \_\_\_\_\_

Date and Time

## Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- ( ☒ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- ( ☐ ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

**Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and State) \_\_\_\_\_

(Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

(XX ) (7) The defendant shall:

( ) (a) maintain or actively seek employment.

( ) (b) maintain or commence an educational program.

XX (c) abide by the following restrictions on his personal associations, place of abode, or travel:

Travel is restricted to the Northern District of Oklahoma unless  
permission to travel outside the Northern District is granted

from the U. S. Probation Office; to include District of Kansas, and W.P. OKLA

( ) (d) avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:

XX (e) report on a regular basis to the following agency:

Report to the U. S. Probation Office as directed.

( ) (f) comply with the following curfew: \_\_\_\_\_

( ) (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.

( ) (h) refrain from excessive use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. §802 unless prescribed by a licensed medical practitioner.

( ) (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows: \_\_\_\_\_

XX (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: \$10,000 cash/surety

( ) (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money: \_\_\_\_\_

( ) (l) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_

( ) (m) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

( ) (n) surrender any passport to \_\_\_\_\_

( ) (o) obtain no passport.

XX successfully participate in drug monitoring as directed by the  
U. S. Probation Office



### Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
  - (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
  - (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
  - (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.
- A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

### Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Michael Hall

Signature of Defendant

1058 N. Georgie St.

Address

Derby, KS

67037

NONE

City and State

Telephone

(316) 788-6015

### Directions to United States Marshal

- ( ) The defendant is ORDERED released after processing.
- (X) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 7-20-89

[Signature]  
Judicial Officer

INFORMATION SHEET

July 20, 1989, Before Magistrate: Wagner ☒ Wolfe ☐ D  
 Case No. 89-CR-83-E (06) 1989

UNITED STATES OF AMERICA v. Michael Steven Hall Jack C. Silver, Clerk  
 Defendant's Age 37 Sex Male Date of Birth 09-08-52 U.S. DISTRICT COURT

Defendant's Address 1058 N. Georgie St.  
Derby Kansas 67037  
 (Phone #) none (788-6015  
 day/night's  
 phone)

Date of Arrest \_\_\_\_\_ Arrested by \_\_\_\_\_  
 Bail Fixed \$ 10,000 (as set in dist of KS) (Cash or Surety) (10% Dep) (Unsecured)  
 Bail Made \$ \_\_\_\_\_ (Cash or Surety) (10% Dep) (Unsecured)  
 Bail Not Made ☒

Special Conditions: ☒ Report as Directed  
☒ Travel restricted to ND/OK and dist/kansas & MO/OK  
☐ Refrain from possession of firearm, etc.  
☒ Successful participation in drug screening  
☐ \_\_\_\_\_  
☐ \_\_\_\_\_

Preliminary Exam: Date Scheduled \_\_\_\_\_ at \_\_\_\_\_  
 Arraignment: Date Scheduled \_\_\_\_\_ at \_\_\_\_\_

Defendant Requests Public Defender: yes ( ) no ( )  
 Defendant's Attorney: David Booth (Ct. Apptd) (Retained)  
 \_\_\_\_\_  
 (Phone #) \_\_\_\_\_

Attorney for USA: G. Morgan  
 Remarks: \_\_\_\_\_

Minute: I appear for FA. Financial Affidavit executed FPN appt  
& present. Bond cert as set in dist of KS. Arr also  
held & pleads NA, sched dates to be mtd.  
Bail not made.

☒ Defendant remanded to custody of U. S. Marshal.  
2

# FINANCIAL AFFIDAVIT

CJA-23

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES  
IN THE CASE OF

☐ MAGISTRATE ☒ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

USA vs. Michael  
Steven Hall

FOR Northern Okla  
AT Tulsa Oklahoma

LOCATION NUMBER

1085-4

PERSON REPRESENTED (Show your full name)

Michael Steven Hall

CHARGE/OFFENSE (describe if applicable & check box + )

☒ Felony  
☐ Misdemeanor

Consp to mfg controlled  
SUBSTANCE T-21:ENG

- 1 ☒ Defendant—Adult
- 2 ☐ Defendant—Juvenile
- 3 ☐ Appellant
- 4 ☐ Probation Violator
- 5 ☐ Parole Violator
- 6 ☐ Habeas Petitioner
- 7 ☐ 2255 Petitioner
- 8 ☐ Material Witness
- 9 ☐ Other (Specify)

DOCKET NUMBERS

Magistrate

District Court

89-CR-83-E

Court of Appeals

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

## ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

### EMPLOYMENT

Are you now employed? ☒ Yes ☐ No ☐ Am Self Employed

Name and address of employer: Walls Tire Service, Derby, KS -

IF YES, how much do you  
earn per month? \$ 700

IF NO, give month and year of last employment  
How much did you earn per month \$

If married is your Spouse employed? ☐ Yes ☐ No Divorced

IF YES, how much does your  
Spouse earn per month \$

If a minor under age 21, what is your  
Parents or Guardian's approximate monthly income \$

### ASSETS

#### OTHER INCOME

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☐ Yes ☒ No

IF YES, GIVE THE AMOUNT  
RECEIVED & IDENTIFY \$  
THE SOURCES

RECEIVED

SOURCES

#### CASH

Have you any cash on hand or money in savings or checking account ☐ Yes ☒ No IF YES, state total amount \$

#### PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☒ No

IF YES, GIVE VALUE AND \$  
DESCRIBE IT

VALUE

DESCRIPTION

### OBLIGATIONS & DEBTS

#### DEPENDENTS

MARITAL STATUS

☐ SINGLE

☐ MARRIED

☐ WIDOWED

☒ SEPARATED OR  
DIVORCED

Total  
No. of  
Dependents

List persons you actually support and your relationship to them

#### DEBTS & MONTHLY BILLS

(LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)

APARTMENT  
OR HOME:

Creditors

Total Debt

Monthly Payt.

\$

\$

\$

\$

\$

\$

\$

\$

I certify the above to be correct.

SIGNATURE OF DEFENDANT  
(OR PERSON REPRESENTED)

Michael Hall

**WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH**

JUL 20 1989

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NO. 89-CR-83-06-E

-----  
MICHAEL STEVEN HALL  
-----

Defendant(s)

ORDER APPOINTING COUNSEL

On this 20th day of JULY, 19 89, the above-named having completed an affidavit as to financial ability to employ counsel, and upon review, the Court finds that the affiant(s) is/are financially unable to obtain counsel. In accordance with the Northern District of Oklahoma Plan for Implementing the Criminal Justice Act of 1984,

IT IS HEREBY ORDERED that the:

☒ XX

Federal Public Defender is appointed to represent the following: MICHAEL STEVEN HALL in all further proceedings unless and until relieved by order of the court.

☐

Federal Public Defender shall forthwith furnish the name(s) of a private attorney or attorneys, as necessary, for appointment to represent the following:

☐

Defendant will reimburse the government for the reasonable cost of providing representation in accordance with his/her ability to pay as determined by further order of the court.

☐

Federal Public Defender is temporarily appointed to represent the following:

for purposes of initial appearance only.

Dated this 20th day of JULY, 19 89.

  
JOHN LEO WAGNER  
UNITED STATES MAGISTRATE

# United States District Court

DISTRICT OF KANSAS

UNITED STATES OF AMERICA  
v.

## COMMITMENT TO ANOTHER DISTRICT

MICHAEL STEVEN HALL

CASE NUMBER: 89-1081M-01

The defendant is charged with a violation of 21 U.S.C. 846; 841; 853 alleged to have been committed in the Northern District of Oklahoma.

### Brief Description of Charge(s):

manufacturing of, possession of and distribution of methamphetamine, a Schedule II substance.

The defendant has been unable to obtain release under the Bail Reform Act of 1984, 18 U.S.C. §§3141-3143.

### TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant, all proceedings required by Fed. R. Crim. P. 40 having been completed.

July 17, 1989  
Date

John B. Woolley  
Judicial Officer

### RETURN

COPY

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED <u>7/19/89</u>		PLACE OF COMMITMENT <u>U.S.M.S. ND/OK</u>	DATE DEFENDANT COMMITTED <u>7/20/89</u>
DATE <u>7/20/89</u>	UNITED STATES MARSHAL <u>Kenneth L. PeKarek</u>		(BY) DEPUTY MARSHAL <u>[Signature] SDUSM</u>

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

U.S.A.

V.

NOTICE

LOREN EUGENE HALL, JR.  
MICHAEL STEVEN HALL

CASE NUMBER: 89-CR-83-03 &amp; 06-E

TYPE OF CASE:

☐ CIVIL☒ CRIMINAL

TAKE NOTICE That a proceeding in this case has been set for the place date, and time set forth below:

PLACE

U S COURTHOUSE  
TULSA OKLAHOMA

ROOM NO.

COURTROOM #2

DATE AND TIME

SEPTEMBER 18, 1989, 9:30 A.M.

TYPE OF PROCEEDING

JURY TRIAL



TAKE NOTICE that the proceeding in this case has been continued as indicated below:

PLACE

DATE AND TIME PREVIOUSLY  
SCHEDULEDCONTINUED TO, DATE  
AND TIME

JACK C. SILVER, CLERK

U.S. MAGISTRATE OR CLERK OF COURT

7-21-89

DATE

Beverly McCullough

(BY) DEPUTY CLERK

To: Jim Heslet  
David Booth  
Jack Morgan

NOTE: DEFENDANT MOTIONS DUE: 8-4-89  
GOVERNMENT RESPONSES DUE: 8-14-89  
CERTIFICATION TO COURT OF ANY DISCOVERY DISPUTES DUE: 8-31-89  
PRETRIAL, MOTIONS HEARING &/OR CHANGE OF PLEA: 9-11-89, 2:30 P.M.  
REQUESTED INSTRUCTIONS, VOIR DIRE & TRIAL BRIEFS: 9-11-89

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED  
IN OPEN COURT

JUL 5 1989

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORAN EUGENE HALL, SR.,  
KENT PATRICK THIMMESCH a/k/a  
PAUL RICHARD LASSLEY,  
LOREN EUGENE HALL, JR.  
BARBARA ANN MARTENEY,  
DAVID ROYSE LADD and  
MICHAEL STEVEN HALL,

Defendants.

No. **89CR 83E**

I N D I C T M E N T  
[21 U.S.C. §§846, 841(a)(1):  
Conspiracy to Manufacture;  
Possess with Intent to  
Distribute; and to  
Distribute, Methamphetamine;  
21 U.S.C. §853: Forfeiture]

THE GRAND JURY CHARGES:

COUNT ONE

[21 U.S.C. §§846, 841(a)(1), 853]

A. INTRODUCTION

Beginning in or about September, 1987, and continuing through and including February 16, 1989, defendants LORAN EUGENE HALL, SR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, DAVID ROYSE LADD and MICHAEL STEVEN HALL, and other co-conspirators, both known and unknown to the grand jury, did willfully and knowingly combine, conspire, confederate and agree to commit offenses against the United States in violation of Title 21, U.S.C., §846, as follows:

(1) To knowingly and intentionally manufacture methamphetamine, a Schedule II stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

(2) To knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21, U.S.C. §841(a)(1).

(3) To knowingly and intentionally distribute methamphetamine, a Schedule II, stimulant controlled substance, contrary to Title 21 U.S.C. §841(a)(1).

B. MEANS OF THE CONSPIRACY

The objects and means of the conspiracy were to be accomplished and were accomplished by the defendants, and other co-conspirators, as follows:

(1) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, and others both known and unknown to the grand jury, would and did knowingly purchase precursor chemicals in the Northern District of Oklahoma, and elsewhere, with the intent to manufacture mehtamphetamine.

(2) LOREN EUGENE HALL, JR., KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY, and others both known and unknown to the grand jury, would and did knowingly transport precursor chemicals and laboratory equipment to be used in establishing clandestine laboratories for the manufacture of methamphetamine.

(3) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., DAVID ROYSE LADD, MICHAEL STEVEN HALL, and others both known and unknown to the grand jury would and did knowingly manufacture methamphetamine.

(4) LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., BARBARA ANN MARTENEY, and others both known and unknown to the grand jury would and did knowingly distribute methamphetamine.



C. OVERT ACTS

To effect the objects of the conspiracy, the defendants named herein, and other co-conspirators, committed diverse overt acts within the Northern District of Oklahoma, and elsewhere, among which were the following:

(1) In or about September or October, 1987, LORAN EUGENE HALL, SR., and DAVID ROYSE LADD traveled from Balt Springs, Texas to Kansas for the purpose of manufacturing methamphetamine.

(2) In or about September or October, 1987, LORAN EUGENE HALL, SR., returned from Kansas to Texas with methamphetamine.

(3) In or about September or October, 1987, BARBARA ANN MARTENEY, in Texas, sold methamphetamine, and delivered money therefrom to LORAN EUGENE HALL, SR.

(4) In or about May or June, 1988, LORAN EUGENE HALL, SR., rented a farm near Scurry, Texas, for the purpose of manufacturing methamphetamine.

(5) In or about October or November, 1988, MICHAEL STEVEN HALL spilled meth oil on the floor of a shed in or near Mesquite, Texas, while loading articles in a truck.

(6) In or about October or November, 1988, LORAN EUGENE HALL, SR., and MICHAEL STEVEN HALL departed Mesquite, Texas, to manufacture methamphetamine.

(7) On or about October 28, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., inquired as to purchasing chemicals and glassware in Wichita, Kansas.

(8) On or about October 31, 1988, LORAN EUGENE HALL, SR., and LOREN EUGENE HALL, JR., purchased chemicals and glassware in Tulsa, Oklahoma.

(9) On or about November 15, 1988, LORAN EUGENE HALL, SR., LOREN EUGENE HALL, JR., and an unindicted co-conspirator purchased chemicals in Tulsa, Oklahoma.

(10) On or about November 28, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., Tulsa, Oklahoma, to advise that he would be coming or calling to place an order for 110 pounds of Ephedrine.

(11) On or about November 30, 1988, LORAN EUGENE HALL, SR., called by telephone to Mid-Town Scientific Co., to inquire how much Ephedrine was in stock.

(12) In or about October or November, 1988, LORAN EUGENE HALL, SR., and BARBARA ANN MARTENEY diluted mehtamphetamine with Ephedrine, in or near Mesquite, Texas.

(13) In or about November or December, 1988, BARBARA ANN MARTENEY and LORAN HALL, SR., in Texas, sold methamphetamine for profit.

(14) On or about December 30, 1988, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.

(15) On or about January 10, 1989, an unindicted co-conspirator purchased chemicals and equipment from a chemical store in Tulsa, Oklahoma, for LORAN EUGENE HALL, SR.

(16) In or about January, 1989, MICHAEL STEVEN HALL transported laboratory glassware from or near Mesquite, Texas to or near Burns, Kansas.

(17) On or about February 2, 1989, LORAN EUGENE HALL, SR., at or near Mesquite, Texas, agreed to convert one gallon of meth oil to methamphetamine.

(18) On or about February 6, 1989, DAVID ROYSE LADD purchased fifteen (15) pounds of Phenylacetic Acid from DFW Chemicals in Grand Prairie, Texas.

(19) On or about February 15, 1989, in or near Mesquite, Texas, LOREN EUGENE HALL, JR., dictated to BARBARA ANN MARTENEY who wrote down a list of needed laboratory glassware and chemicals.

(20) On or about February 15, 1989, LOREN EUGENE HALL, JR., distributed methamphetamine in or near Mesquite, Texas.

(21) On or about February 15, 1989, LOREN EUGENE HALL, JR., possessed a firearm while distributing methamphetamine and discussing his clandestine laboratory.

(22) On or about February 15, 1989, DAVID ROYSE LADD and LOREN EUGENE HALL, JR., purchased five (5) gallons of Hydiodic Acid, 500 grams of Red Phosphorous and ten (10) pounds of Ephedrine at DFW Chemicals in Grand Prairie, Texas.

(23) On or about February 16, 1989, LOREN EUGENE HALL, JR., and an unidentified co-conspirator purchased laboratory equipment and glassware at DFW Chemicals in Grand Prairie.

(24) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICAHRD LASSLEY loaded chemicals, laboratory equipment and glassware onto a truck in Mesquite, Texas.

(25) On or about February 16, 1989, LOREN EUGENE HALL, JR., and KENT PATRICK THIMMESCH a/k/a PAUL RICHARD LASSLEY transported firearms, chemicals, laboratory equipment and glassware from Texas through Oklahoma on their way to Kansas.

D. PROPERTY SUBJECT TO FORFEITURE

Forfeiture may and shall be ordered to the United States by the Court of the above defendant's following described property upon their individual and respective convictions herein, pursuant to Title 21, United States Code, §853:


(1) Any property constituting or derived from any proceeds any defendant obtained directly or indirectly, as the result of the violation herein.

(2) Any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation herein.

A TRUE BILL

TONY M. GRAHAM  
United States Attorney

By

  
Assistant United States Attorney

  
Foreperson

JSM:ddb

## DEFENDANT INFORMATION. RELATIVE TO A CRIMINAL ACT — IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT

## OFFENSE CHARGED

Conspiracy to Manufacture; Possess  
with Intent to Distribute; and to  
Distribute, Methamphetamine;  
Forfeiture☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

Place of offense

ND/OK

U.S.C. Citation

21 USC §§846, 841  
(a)(1); 853

Name of District Court, and/or Judge/Magistrate Location (City)

NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT — U.S. vs.

LORAN EUGENE HALL, SR.

Address

Birth  
Date☒ Male ☐ Alien  
☐ Female (if applicable)

(Optional unless a juvenile)

## PROCEEDING

Name of Complainant Agency, or Person (&amp; Title, if any)

S. Horton (OBNDCC)

☐ person is awaiting trial in another Federal or State Court,  
give name of court☐ this person/proceeding is transferred from another district  
per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges  
previously dismissed which were  
dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending  
case involving this same defendant☐ prior proceedings or appearance(s)  
before U.S. Magistrate regarding  
this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.Name and Office of Person  
Furnishing Information on  
THIS FORM

Diane Brown

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

JOHN S. MORGAN

## DEFENDANT — IS NOT IN CUSTODY

- 1) ☒ Has not been arrested, pending outcome this proceeding  
If not detained give date any prior summons  
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

## IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Fed'l ☐ State
- 6) ☐ Awaiting trial on other charges  
If answer to (6) is "Yes", show name of institution

Has detainer  
been filed?☐ Yes  
☐ NoIf "Yes"  
give date  
filed

Mo. Day Year

DATE OF  
ARREST

Or... if Arresting Agency &amp; Warrant were not Federal

DATE TRANSFERRED  
TO U.S. CUSTODY

Mo. Day Year

☐ This report amends AO 257 previously submitted

## ADDITIONAL INFORMATION OR COMMENTS

Special Assessment: \$50.00 as to Count One

DO: Count One: September, 1987 to February 16, 1989

Penalty: Count One: 20 yrs./\$1 million dollars

## DEFENDANT INFORMATION, RELATIVE TO A CRIMINAL ACT — IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT

## OFFENSE CHARGED

Conspiracy to Manufacture; Possess  
with Intent to Distribute; and to  
Distribute, Methamphetamine;  
Forfeiture☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

Place of offense

ND/OK

U.S.C. Citation

21 USC §§846, 841  
(a)(1); 853

Name of District Court, and/or Judge/Magistrate Location (City)

NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT — U.S. vs.

KENT PATRICK THIMMESCH a/k/a Paul Lassley

Address

89CR 83E

Birth  
Date☒ Male ☐ Alien  
☐ Female (if applicable)

(Optional unless a juvenile)

## PROCEEDING

Name of Complainant Agency, or Person (&amp; Title, if any)

S. Horton (OBNDCC)

☐ person is awaiting trial in another Federal or State Court,  
give name of court☐ this person/proceeding is transferred from another district  
per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges  
previously dismissed which were  
dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending  
case involving this same defendant☐ prior proceedings or appearance(s)  
before U.S. Magistrate regarding  
this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.Name and Office of Person  
Furnishing Information on  
THIS FORM

Diane Brown

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

JOHN S. MORGAN

DEFENDANT  
IS NOT IN CUSTODY

- 1) ☒ Has not been arrested, pending outcome this proceeding  
If not detained give date any prior summons  
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

## IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Fed'l ☐ State
- 6) ☐ Awaiting trial on other charges  
If answer to (6) is "Yes", show name of institution

Has detainer  
been filed?☐ Yes  
☐ NoIf "Yes"  
give date  
filed

Mo. Day Year

DATE OF  
ARREST

Or... if Arresting Agency &amp; Warrant were not Federal

DATE TRANSFERRED  
TO U.S. CUSTODY

Mo. Day Year

☐ This report amends AO 257 previously submitted

## ADDITIONAL INFORMATION OR COMMENTS

Special Assessment: Count One: \$50.00

DO: September, 1987 to February 16, 1989

Penalty: Count One: 20 yrs./\$1 million dollars

## DEFENDANT INFORMATION.. RELATIVE TO A CRIMINAL ACT - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT

## OFFENSE CHARGED

Conspiracy to Manufacture; Possess  
with Intent to Distribute; and to  
Distribute, Methamphetamine;  
Forfeiture☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

Place of offense

ND/OK

U.S.C. Citation

21 USC §§ 846, 841  
(a)(1), 853

Name of District Court, and/or Judge/Magistrate Location (City)

NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT - U.S. vs.

LOREN EUGENE HALL, JR.

Address

89CR 83E

Birth  
Date☒ Male ☐ Alien  
☐ Female (if applicable)

(Optional unless a juvenile)

## PROCEEDING

Name of Complainant Agency, or Person (&amp; Title, if any)

S. Horton (OBNDCC)

☐ person is awaiting trial in another Federal or State Court,  
give name of court☐ this person/proceeding is transferred from another district  
per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges  
previously dismissed which were  
dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending  
case involving this same defendant☐ prior proceedings or appearance(s)  
before U.S. Magistrate regarding  
this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.Name and Office of Person  
Furnishing Information on  
THIS FORM

Diane Brown

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

JOHN S. MORGAN

DEFENDANT  
IS NOT IN CUSTODY

- 1) ☒ Has not been arrested, pending outcome this proceeding  
If not detained give date any prior summons  
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

## IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution
- ☐ Fed'l ☐ State

Has detainer  
been filed?☐ Yes  
☐ NoIf "Yes"  
give date  
filed

Mo. Day Year

DATE OF  
ARREST

Or... if Arresting Agency &amp; Warrant were not Federal

DATE TRANSFERRED  
TO U.S. CUSTODY

Mo. Day Year

☐ This report amends AO 257 previously submitted

## ADDITIONAL INFORMATION OR COMMENTS

Special Assessment: \$50.00 as to Count One

DO: Count One: September, 1987 to February 16, 1989

Penalty: Count One: 20 yrs./\$1 million dollars

## DEFENDANT INFORMATION, RELATIVE TO A CRIMINAL ACT — IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT

Name of District Court, and/or Judge/Magistrate Location (City)

NORTHERN DISTRICT OF OKLAHOMA

## OFFENSE CHARGED

Conspiracy to Manufacture; Possess  
with Intent to Distribute; and to  
Distribute, Methamphetamine;  
Forfeiture☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

Place of offense

ND/OK

U.S.C. Citation

21 USC §§846, 841  
(a)(1); 853

DEFENDANT — U.S. vs.

BARBARA ANN MARTENEY

Address

89CR

83E

Birth  
Date☐ Male☐ Alien☒ Female (if applicable)

(Optional unless a juvenile)

## PROCEEDING

Name of Complainant Agency, or Person (&amp; Title, if any)

S. Horton (OBNDCC)

☐ person is awaiting trial in another Federal or State Court,  
give name of court☐ this person/proceeding is transferred from another district  
per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges  
previously dismissed which were  
dismissed on motion of:☐ U.S. Att'y ☐ DefenseSHOW  
DOCKET NO.☐ this prosecution relates to a pending  
case involving this same defendant☐ prior proceedings or appearance(s)  
before U.S. Magistrate regarding  
this defendant were recorded underMAGISTRATE  
CASE NO.Name and Office of Person  
Furnishing Information on  
THIS FORM

Diane Brown

☒ U.S. Att'y☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

JOHN S. MORGAN

## IS NOT IN CUSTODY

- 1) ☒ Has not been arrested, pending outcome this proceeding  
If not detained give date any prior summons  
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

## IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution
- ☐ Fed'l ☐ State

Has detainer  
been filed?☐ Yes  
☐ NoIf "Yes"  
give date  
filed

Mo.

Day

Year

DATE OF  
ARREST

Or... if Arresting Agency &amp; Warrant were not Federal

DATE TRANSFERRED  
TO U.S. CUSTODY

Mo.

Day

Year

☐ This report amends AO 257 previously submitted

## ADDITIONAL INFORMATION OR COMMENTS

Special Assessment: \$50.00 as to Count One

DO: Count One: September, 1987 to February 16, 1989

Penalty: Count One: 20 yrs./\$1 million dollars



## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION — IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT

## OFFENSE CHARGED

Conspiracy to Manufacture; Possess  
with Intent to Distribute; and to  
Distribute, Methamphetamine;  
Forfeiture☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

Place of offense

ND/OK

U.S.C. Citation

21 USC §§846, 841  
(a)(1); 853

Name of District Court, and/or Judge/Magistrate Location (City)

NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT — U.S. vs.

DAVID ROYSE LADD

Address

89CR

83E

Birth  
Date☒ Male ☐ Alien  
☐ Female (if applicable)

(Optional unless a juvenile)

## PROCEEDING

Name of Complainant Agency, or Person (&amp; Title, if any)

S. Horton (OBNDCC)

☐ person is awaiting trial in another Federal or State Court,  
give name of court☐ this person/proceeding is transferred from another district  
per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges  
previously dismissed which were  
dismissed on motion of:☐ U.S. Att'y ☐ DefenseSHOW  
DOCKET NO.☐ this prosecution relates to a pending  
case involving this same defendant☐ prior proceedings or appearance(s)  
before U.S. Magistrate regarding  
this defendant were recorded underMAGISTRATE  
CASE NO.Name and Office of Person  
Furnishing Information on  
THIS FORM

Diane Brown

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

JOHN S. MORGAN

DEFENDANT  
IS NOT IN CUSTODY

- 1) ☒ Has not been arrested, pending outcome this proceeding  
If not detained give date any prior summons  
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

## IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Fed'l ☐ State
- 6) ☐ Awaiting trial on other charges  
If answer to (6) is "Yes", show name of institution

Has detainer  
been filed?☐ Yes  
☐ NoIf "Yes"  
give date  
filed

Mo. Day Year

DATE OF  
ARREST

Or... if Arresting Agency &amp; Warrant were not Federal

DATE TRANSFERRED  
TO U.S. CUSTODY

Mo. Day Year

☐ This report amends AO 257 previously submitted

## ADDITIONAL INFORMATION OR COMMENTS

Special Assessment: Count One: \$50.00

DO: Count One: September, 1987 to February 16, 1989

Penalty: Count One: 20 yrs./\$1 million dollars

## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACT — IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT

## OFFENSE CHARGED

Conspiracy to Manufacture; Possess  
with Intent to Distribute; and to  
Distribute. Methamphetamine;  
Forfeiture☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

Place of offense

ND/OK

U.S.C. Citation

21 USC §§846, 841  
(a)(1); 853

Name of District Court, and/or Judge/Magistrate Location (City)

NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT — U.S. vs.

MICHAEL STEVEN HALL

Address

89CR

83E

Birth  
Date☒ Male ☐ Alien  
☐ Female (if applicable)

(Optional unless a juvenile)

## PROCEEDING

Name of Complainant Agency, or Person (&amp; Title, if any)

S. Horton (OBNDCC)

☐ person is awaiting trial in another Federal or State Court,  
give name of court☐ this person/proceeding is transferred from another district  
per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges  
previously dismissed which were  
dismissed on motion of:  
☐ U.S. Att'y ☐ DefenseSHOW  
DOCKET NO.☐ this prosecution relates to a pending  
case involving this same defendant☐ prior proceedings or appearance(s)  
before U.S. Magistrate regarding  
this defendant were recorded underMAGISTRATE  
CASE NO.Name and Office of Person  
Furnishing Information on  
THIS FORM

Diane Brown

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

JOHN S. MORGAN

DEFENDANT  
IS NOT IN CUSTODY

- 1) ☒ Has not been arrested, pending outcome this proceeding  
If not detained give date any prior summons  
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

## IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Fed'l ☐ State
- 6) ☐ Awaiting trial on other charges  
If answer to (6) is "Yes", show name of institution

Has detainer  
been filed?☐ Yes  
☐ NoIf "Yes"  
give date  
filed

Mo. Day Year

DATE OF  
ARREST

Or... if Arresting Agency &amp; Warrant were not Federal

DATE TRANSFERRED  
TO U.S. CUSTODY

Mo. Day Year

☐ This report amends AO 257 previously submitted

## ADDITIONAL INFORMATION OR COMMENTS

Special Assessment: \$50.00 as to Count One

DO: Count One: September, 1987 to February 16, 1989

Penalty: Count One: 20 yrs./\$1 million dollars

## United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA  
V.

## WARRANT FOR ARREST

LORAN EUGENE HALL, SR.

CASE NUMBER:

To: The United States Marshal  
and any Authorized United States Officer

89CR 83E

YOU ARE HEREBY COMMANDED to arrest LORAN EUGENE HALL, SR.

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Conspiracy to Manufacture; Possess with Inent to Distribute; and to Distribute  
Methamphetamine; Forfeiturein violation of Title 21 United States Code, Section(s) 846, 841(a)(1), 853JACK C. SILVER

Name of Issuing Officer

Title of Issuing Officer

JUL 06 1989

Signature of Issuing Officer

Date and Location

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_

Name of Judicial Officer

## RETURN

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

## United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA

V.

KENT PATRICK THIMMESCH  
a/k/a Paul Richard Lassley

## WARRANT FOR ARREST

CASE NUMBER:

To: The United States Marshal  
and any Authorized United States Officer

89CR 83E

YOU ARE HEREBY COMMANDED to arrest Kent Patrick Thimmesch a/k/a Paul R. Lassley  
Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Conspiracy to Manufacture; Possess with Inent to Distribute; and to Distribute  
Methamphetamine; Forfeiturein violation of Title 21 United States Code, Section(s) 846, 841(a)(1), 853

JACK C. SILVER

Name of Issuing Officer

Title of Issuing Officer

JUL 06 1989

Signature of Issuing Officer

Date and Location

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_  
Name of Judicial Officer

## RETURN

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

## United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA  
V.

## WARRANT FOR ARREST

LOREN EUGENE HALL, JR.

CASE NUMBER:

To: The United States Marshal  
and any Authorized United States Officer

89CR 83E

YOU ARE HEREBY COMMANDED to arrest LOREN EUGENE HALL, JR.

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Conspiracy to Manufacture; Possess with Intent to Distribute; and to Distribute  
Methamphetamine; Forfeiturein violation of Title 21 United States Code, Section(s) 846, 841(a)(1), 853

JACK C. SILVER

Name of Issuing Officer

Title of Issuing Officer

JUL 06 1989

Signature of Issuing Officer

Date and Location

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_  
Name of Judicial Officer

## RETURN

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA

V.

BARBARA ANN MARTENEY

## WARRANT FOR ARREST

CASE NUMBER:

To: The United States Marshal  
and any Authorized United States Officer

**89CR 83E**

YOU ARE HEREBY COMMANDED to arrest BARBARA ANN MARTENEY

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Conspiracy to Manufacture; Possess with Inent to Distribute; and to Distribute  
Methamphetamine; Forfeiture

in violation of Title 21 United States Code, Section(s) 846, 841(a)(1), 853

JACK C. SILVER

Name of Issuing Officer

Title of Issuing Officer

  
Signature of Issuing Officer

JUL 06 1989  
Date and Location

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_  
Name of Judicial Officer

### RETURN

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA  
V.

DAVID ROYSE LADD

## WARRANT FOR ARREST

CASE NUMBER:

' 89CR 83E

To: The United States Marshal  
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest DAVID ROYSE LADD

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Conspiracy to Manufacture; Possess with Intent to Distribute; and to Distribute  
Methamphetamine; Forfeiture

in violation of Title 21 United States Code, Section(s) 846, 841(a)(1), 853

JACK C. SILVER

Name of Issuing Officer

Signature of Issuing Officer

Title of Issuing Officer

Date and Location

JUL 06 1989

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_  
Name of Judicial Officer

### RETURN

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

# United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA  
V.

## WARRANT FOR ARREST

MICHAEL STEVEN HALL

CASE NUMBER:

To: The United States Marshal  
and any Authorized United States Officer

**189CR 83E**

YOU ARE HEREBY COMMANDED to arrest MICHAEL STEVEN HALL  
Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☒ Indictment ☐ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Conspiracy to Manufacture; Possess with Intent to Distribute; and to Distribute  
Methamphetamine; Forfeiture

in violation of Title 21 United States Code, Section(s) 846, 841(a)(1), 853

JACK C. SILVER  
Name of Issuing Officer

Title of Issuing Officer

[Signature]  
Signature of Issuing Officer

Date and Location

**JUL 06 1989**

Bail fixed at \$ \_\_\_\_\_ by \_\_\_\_\_  
Name of Judicial Officer

### RETURN

This warrant was received and executed with the arrest of the above-named defendant at \_\_\_\_\_

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		